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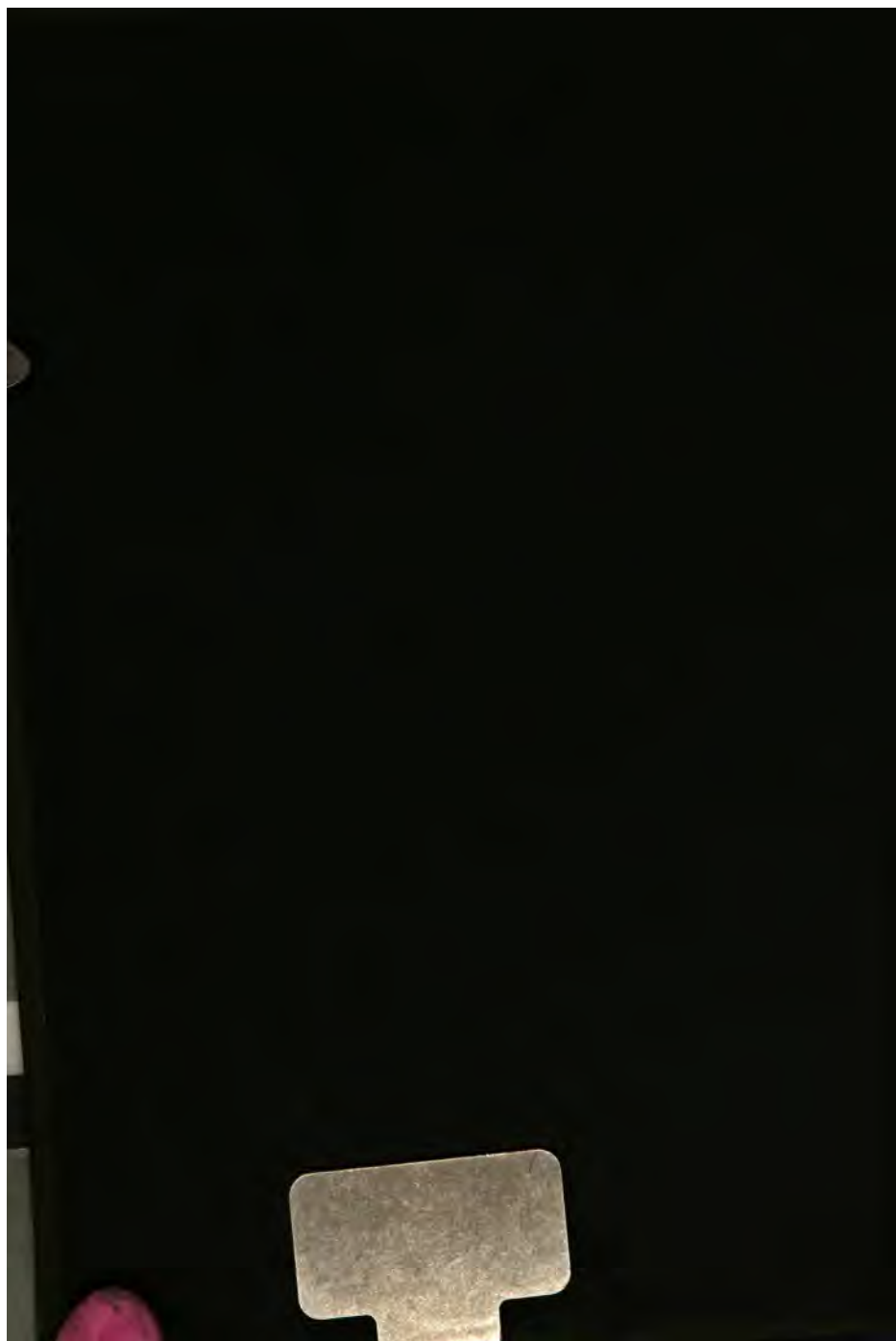
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A BATTLING LIFE  
CHIEFLY IN THE  
CIVIL SERVICE

Mr E. Savell

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# A BATTLING LIFE

CHIEFLY IN THE

## CIVIL SERVICE

*AN AUTOBIOGRAPHY*

WITH FUGITIVE PAPERS ON SUBJECTS OF  
PUBLIC IMPORTANCE

BY

THOMAS BAKER, Esq.

OF THE INNER TEMPLE,  
SECRETARY ROYAL SANITARY COMMISSION, ARMY IN INDIA, ETC.

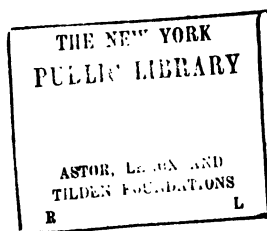
AUTHOR OF

"THE LAWS RELATING TO BURIALS," ETC.  
MAGISTRATE'S POCKET GUIDE, INDEX TO QUEEN'S AND ADMIRALTY REGULATIONS

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1885



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## PREFACE.

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Walden Feb. 1, 1959

IN recording the salient events of my life, the object has been, not to trouble my readers with minute details of family and domestic concerns ; not to set down thoughts or opinions which in early life are but the reflex of parental education, and in after life are perhaps best kept within the breast of the thinker, unless in the case of experts, specialists, and public teachers ; not to enter into sentiment—the business of the novelist ; nor to attempt vivid delineations of scenery—appropriate to the artist and the poet ; not to describe the events of the age, political or social, through which I have passed—the special work of the historian ; nor even to indulge in the common inclination of the aged

—a desire to lecture and advise the young, who usually prefer to profit by their own individual experience. I have not sought to do any of these things; but simply to note what I have done and observed in the desire to leave the world better than I found it, and to show that some humble, though not less earnest, efforts of my own have tended to that end.

T. B.

KINGSCOTE, WOKINGHAM,  
*January, 1885.*

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# A BATTLING LIFE.



## CHAPTER I.

### BIRTH AND PARENTAGE.

ON the 7th July, 1819, I was ushered into the world at "Townsend," Ilminster, Somerset, the youngest of twelve children. My father pronounced me to be a young Goliath; but if unusually large as a baby, such did not continue as a characteristic in after life.

My father, John Baker, a native of the adjoining parish of Ilton, was a solicitor, for fifty years resident at "Townsend." He was a man of considerable information and powers of mind, notable both in speech and epistolary writing; celebrated among a numerous acquaintance for the strictest integrity; and in his manners and conversation he was the very model of a gentleman.

My mother was the only surviving child of the Rev. C. Giffard, of Chard, noted for his philosophic wisdom and richness in proverbial maxims. This inherited wisdom was carefully instilled by his daughter into the minds of her children. She was a pattern of domestic virtue ; diligent almost to a fault ; self-denying without measure ; devoted to the interests of her husband, and the highest education of her family.

Our ancestry, to say the least, was respectable. At Heralds' College, during a visit to London in middle life, my father was assured that evidence existed sufficient to warrant his bearing the Sissinghurst arms.\*

I was named after a collateral ancestor, Rector of Bishops Nympton, gold medallist at Oxford for mathematics, whose portrait is in the Bodleian Library.

It will be seen further on, that an important question touching religious intolerance arose in Ilminster. A remarkable proof exists of the

\* Sir John Baker, of Sissinghurst, was a celebrated Speaker of the House of Commons in his time, a bold and trusted councillor of Henry VIII., ambassador to the Court of Denmark, and Chancellor or Chief Judge of the Exchequer. He once entertained Queen Elizabeth at his castle of Sissinghurst, Kent.

absence of such a spirit formerly. My father was a member of the Old English Presbyterian chapel in that town; and I have in my possession an orchard bequeathed to him, as a mark of high regard, by a former vicar of the parish, who died when I was nearly three years old.

Soon after the introduction of the cheap postal system, my father addressed the Postmaster-General, suggesting that the registration of packets containing valuable documents—for which an extra fee might be charged—would be a great boon to the public, and at the same time a considerable source of revenue. He received a letter of thanks, and the proposal was immediately adopted. This has become so generally used, that the income thereby produced is very large. It has been truly asserted that several persons contributed ideas towards the foundation of the cheap postal system, but every penny earned by the *registration* of letters is derived from his suggestion alone.

## CHAPTER II.

## INFANCY.

YOUTH, it is often truly said, is the time for learning, and it has very generally been observed that the mind more readily receives impressions in infancy than in age. I am not sure that there is not some fallacy here. It is questionable, I think, whether what has been thought to be the greater ease of acquiring ideas when young, is not mainly due to the juvenile mind being occupied with one thing at a time. This strikes forcibly, because there is little to compete with it; and by immediate and frequent repetition, in sight or thought, becomes indelibly fixed, never to be eradicated. In after life business, pleasure, and the duties of the hour are so multifarious, that any new impression must necessarily be shared together with a thousand competitors for the mental occupation of the moment; hence we delude ourselves

with the notion that the mind has become less able to acquire knowledge, whereas the truth is, that had not the mental power become incalculably strengthened, it would be impossible to keep up the requisite stock for use from day to day, to say nothing of new acquisitions. Yet numerous records exist of fresh studies and occupations taken up late in life and carried forward to eminent proficiency.

One of my earliest recollections is the being led out to school, and sitting among the scholars. This was at two years old. A distinct vision indelibly impressed upon my infant mind was the knife being inserted into the body of an ox, roasted whole in a field to celebrate the coming of age of a young squire of the neighbourhood, when I was three. Another was the appearance, in black velveteen trousers, of a new man on my father's lawn. He had been a soldier in the Peninsular War, and remained in our service over thirty years, often "fighting his battles o'er again" to entertain the young masters.

It may serve as a curious instance of at once a steady and a wandering disposition to note that this man—who, having enlisted very young, went through most of the Peninsular campaigns, and was a veteran at Waterloo (or rather, as

he called it, "Quarter brass," where he was wounded the day before Waterloo), for which he got a medal and pension—after sticking to one service so many years, during which he became the father of twenty-three children by one wife, finally emigrated to end his days in Australia.

## CHAPTER III.

“CREEPING, LIKE SNAIL, UNWILLINGLY TO SCHOOL.”

THE youngest is very commonly a spoiled child. I was sufficiently troublesome to make it desirable to get me out of my mother's way. Therefore, at five years old, I was sent to a ladies' school at Hinton, a few miles from home. In this lovely village my eldest sister then lived, having married a solicitor who had been articled to my father. Their eldest son was three years younger than his uncle. Of course I frequently visited at their house, and almost as frequent, no doubt, was the squabbling between uncle and nephew.

At the school itself I certainly learned quite as much evil from the lady's son—a great hulking fellow of twenty, perhaps—as good from the tuition of the seminary. Such very early “education” must, besides, most commonly result in cramping the juvenile mind. I

was the pet of the eldest pupil, a young lady of sixteen, and was exceedingly fond of her; and though we have never met since our mutual school days, at least fifty years after I was amused to hear that she had referred to the fact of having known me as a child.

The chief reminiscences of the place are the May-day village procession, when the men's club walked, preceded by a huge Maypole, festooned from top to bottom with flowers; (this was as high and as heavy as a strong man, frequently relieved, could carry on his shoulder, by cross pieces fixed near the bottom of the pole—a band in front, was followed by all the members in double file, carrying blue poles with yellow knobs and blue ribbons streaming from the top); visits to my sister; seeing my brother-in-law shooting swallows from the end of his garden; and, not the least, was my being taken by a teacher—as a pattern of good behaviour, I suppose—for an hour or so daily, during part of the three years, to the neighbouring mansion of a noble earl, to receive instruction in company with the young viscount and his brother. A piece of cake from the countess was the usual satisfactory accompaniment. I must have been the elder of the



three, as I can recollect having been strong enough to resist the joint efforts of the pair to drag me through a very long passage.

When eight years old I was promoted to the town grammar school, which I attended as a day scholar, from 6.30 to 8.30; 9.30 to 12; 2.30 to 5; and 7 to 8. Such were the hours prescribed by the then recently appointed master—a small man, a very sprig of conceit, an M.A. of Oxford, a most self-satisfied, important little person, and exceedingly severe in his discipline. So much so, that if his sole object had been to make his timid and cringing young pupils utterly detest the very name of school, he admirably succeeded in that object. It certainly was so in my case. No effort being made to explain what was taught, I learnt to repeat like a parrot, without any idea being conveyed to my juvenile mind. Going to school meant terror, and escape was elysium.

As an instance of this little pedagogue's petty tyranny, I well recollect having been kept in at five till the boarders' supper-hour, at six, when, standing by an amiable usher, waiting for release, he accorded me an innocent smile, which I reciprocated. This daring piece of

impertinence the important authority at the other end of the room saw—he did not see the usher, who was sitting as well as himself—and an awful order echoed through the hall, “Baker, come to me at seven o’clock.” I went home trembling from head to foot, when an elder sister, supposed to be a great favourite of the little man, wrote a note to him, explaining the very innocent offence, and begging that it might be overlooked. This, however, had no effect, and I was flogged into indelible hatred of the tyrant, which lasted until the days of my probation were over.

There was a half-holiday on Wednesdays, except from seven to eight in the evening. One Wednesday I was riding homewards, when from the top of a hill I saw a great smoke, and on entering the town, found several cottages on fire near to the houses of some friends. Giving the pony to a boy to lead home, I ran to the fire, and, in common with some school-fellows, helped to hand on buckets from one of the house-pumps, to feed the engine. None of us thought of rules, or lessons, or leave; but for this breach of discipline we were punished by our philanthropic master.

One great political event of the period I

well remember, viz. the passing of the Reform Act in 1832, rejoicings for which were celebrated in the school playground.

It is curious that the only book I took an interest in studying was Euclid. Of course I was represented by this professor of tuition as stupid ; indeed, his chief idea, besides the whip, appeared to be calling names, which, no doubt, he deemed very bright sarcasm. Under these circumstances, and three out of my four brothers being bred to the law, I was offered more speedy emancipation by entering, at fourteen, a mercantile pursuit. This I eagerly accepted ; anything to get away from the hated school. So I was sent to London in November, 1833, to an acquaintance of a friend.

Trade, however, did not suit my ideas at all, and before three years were over I moved off again to my before-mentioned eldest sister, who, with her husband and five children, had left the slow-going West to seek more hopeful fortune in Manchester. There I remained another two years before returning home.

## CHAPTER IV.

## THE WIDE, WIDE WORLD.

AMONG my reminiscences on first going into the world, the most remarkable, of course, is the method of travelling as compared with modern railways. The distance from my native place to London by road is a hundred and thirty-five miles, and my inside fare by the Exeter Telegraph coach was three pounds ten shillings, besides coachman, guard, and hotels. I have since been carried over the ground and back, by excursion train, for seven shillings and sixpence.

Coach-travelling was pleasant enough on a fine, warm day, when the sun shone, and the country was resplendently verdant, especially if rain had laid the dust; but the cramping of the legs after a few hours became exceedingly wearisome.

The Telegraph was one of the two best

appointed coaches in the kingdom. I had long been a witness to its clocklike regularity. Every morning at 8.30, when I was on my way to breakfast, the Telegraph horses were sure to be trotting up the hill, breaking into a gallop at the top, when I pulled up to recover breath ; and just as regularly whilst the Minster's most musical bell was ringing the ancient 'seven o'clock curfew—which was followed by the day of the month by strokes on a larger bell—when I was running into school, the Telegraph drew up for its exact one minute and a half to change horses at the George. Sometimes, even, but seldom, I could wait to see it start. The same driver who had taken the reins at 8.30 a.m. gave them up at 7 p.m., having in the meantime met the down coach, stepped from one to the other, and soon after stopped twenty minutes at Sparkford Inn for dinner. Ten miles an hour, including stoppages, was the pace.

In the summer of 1835 I recollect travelling down by the same coach, starting at half-past five a.m. from the top of Sloane Street, and breakfasting at Bagshot. The then M.P. for Andover was the box passenger on that occasion, and he was exceedingly pleased with the provision of mine host. "Capital breakfast—

capital breakfast!" he exclaimed. There were twenty cold joints round the room, in addition to broiled ham and eggs *ad libitum*, and all the appurtenances to match.

The twin coach to the Exeter was the Manchester Telegraph, by which, in the summer of 1836, I travelled, having secured the box seat. A quarter before five a.m. we left the city, and, after having breakfasted in Northampton at eleven, and dined in Derby at five p.m., reached Manchester at 11.30 p.m., where my brother-in-law met me.

Besides his solicitor's practice, he held the office of secretary to the Manchester Reform Association, in the early days of Cobden and Bright, and also that of registrar of births, deaths, and marriages, after the passing of the Registration Act, 1837.

My earliest recollections of London take me back to the days of narrow streets, now all widened and rebuilt; the old Exchange of Sir Thomas Gresham; the Lord Mayor's show, among the crowd at which I was carried off my feet—as I was also at a review in Hyde Park, held by jolly looking King William IV.; the elder Farren at Old Drury, as Sir Abel Handy; the old-fashioned cab, with the driver

stuck on, as it were, at one side of his fare ; the ancient hackney coach ; the new omnibus, then recently introduced from my own neighbourhood ; \* the now obsolete oil lamp, making darkness almost visible in the streets, when contrasted with the few thoroughfares brilliantly lighted with gas ; the burning of the old Houses of Parliament in 1834, which I saw from the dry arch of Waterloo Bridge, etc.

I have some recollections connected with horses. At the Manchester races (1837) was exhibited the highest animal I have ever seen, a half-bred Irish mare, twenty hands one and a half inches at the withers, which I could just reach at my wrist.

Another horse affair was a ride from Manchester to Liverpool, to oblige a friend (none of whose dependents could ride), who desired to send the animal to his brother living in that town. I stopped at Warrington to refresh both youth and beast ; and enjoyed the trip on the whole, although, being out of practice for some years, the thirty miles at a stretch made me "lose leather."

\* A long van, driven weekly from Ilminster to Taunton, at which latter place Shillibeer resided, gave him the idea of starting the omnibus in London, which he first did in 1827.

During a few days' stay at Liverpool I crossed the Mersey at Birkenhead, and thence went to Chester, walked round the old walls, admired the Dee, and took my half-crown steak at the Royal Hotel, which I thought comfortable and manly enough, though, as there was no sherry accompaniment, doubtless the landlord deemed his guest somewhat shabby.

This brings me to the chief incident in my Manchester life, or, perhaps, my entire life. A friend of my sister from Bath, staying with her brother, visited us one evening, and in the course of conversation, related an anecdote concerning a sporting gentleman whom she knew. This gentleman was in the habit of going early from home for his day's fox-hunting, taking a cup of coffee before starting. One morning, the coffee not being ready, in a pet he called for a glass of cold water, and started, to the annoyance of the negligent housekeeper. This fox-hunter, however, was much astonished to find that he bore the fatigues of that day with far less exhaustion than usual, and, *attributing this to his morning's draught of cold water*, instead of "hot slop" (as Cobbett designated tea, etc.), he adopted the practice afterwards with excellent effect.



Hearing this story, I cogitated and reasoned upon it in my mind, and came to the conclusion that the sole drink provided by Nature for all other animals, must also be best for the animal man. I would try it; and so, although at that time, 1837, there was *no water really fit to drink*—nothing but what was denominated the “stone pipe water,” to be had in Manchester—I at once commenced, before teetotalism ever came into fashion, to confine myself to cold water whenever thirst induced me to drink—when not thirsty, to abstain. This habit I have maintained through life from that day, with the exception of cocoa during a short period of it, and sometimes broth, if that may be called drinking. I had previously been of full habit, and frequently suffered from bilious attacks, but have never since known what a headache is, except from memory.

Not much beyond this occurred during my stay in Manchester worthy of note. One trial of strength I remember, when I managed to lift two hundredweight one quarter and four pounds (256 lbs.), tied together, with one hand; and a sort of legal fight with a toll collector.

By the workhouse a bar was placed, at which a toll was demanded of foot passengers.

This, my solicitor brother-in-law frequently declared in my presence—for reasons which he gave—was illegal. So, passing on one occasion, I refused to pay; and, as a stalwart woman essayed to lay hands on me, I defended myself with my umbrella—an article universally carried by every dweller in “the watering-pot of England,” as Manchester was then called. For this I was summoned before the police magistrate, Mr. Maud, and charged with assaulting the toll-keeper. On the right being disputed, however, we were advised to try it in the regular way, and the case was dismissed. Nothing more was heard of the matter, and the bar was quietly removed. This was my first essay as a champion of public right.

I first learned to sing by note at Manchester, and gained much applause by singing, at an Institution concert, Miss Hawes’ song, “Long Life to Britain’s Youthful Queen.” I also met there with “Life is a River,” which words of sterling philosophy I have sung perhaps more often than any others during my after life.

Towards the end of August, 1838, I joyfully left smoky Cottonopolis for home, *via* Liverpool. Thence, in the steamboat *Mountaineer*, for Swansea, I made my first acquaintance with

the deep. I was a tolerably fair sailor—a trifle qualmish from the hot oil, etc.—but when in roughish water in St. Bride's Bay I became all right. Here a small sloop seen close to the rocks was suddenly missed. She must have gone down, but no assistance could be rendered. I witnessed a glorious sunrise from the deck, and was able to do justice to an ample meal on getting into Milford Haven.

Arriving at Swansea, I was disappointed to find there would be no packet for Bristol for several days, but a sixty-ton coal smack, crossing to Bridgwater, took me on board. The skipper, muddled with drink, two men, and a boy formed the crew. At dinner (salt junk and half-peeled potatoes) one knife and no fork afforded the sole "chopstick" for the party; but I had never before experienced so keen an illustration of the old maxim, "Hunger is the best sauce."

It was a beautiful moonlight night, when I was suddenly alarmed by the skipper tumbling up out of his drunken sleep below, swearing like a trooper. I was as oblivious of all cause for this outburst as could be, but, drunk and drowsy though he was, he had become sensible of a touch which instantly sobered him; and

sure enough the little craft was hard aground under Burnham lighthouse, and in a few hours we were high and dry. A little tug-boat, however, at eight o'clock next morning took me up to Bridgwater with my trunk.

There I landed, left the box for the carrier, and, with my umbrella, coat, and hatbox, started off along the banks of the river Parret, through lovely scenery, which I had little time to admire, for there were seventeen miles before me; and if I could reach Curry to meet the Bristol and Lyme coach, I might ride the last five miles with old Danger, for that was the euphonious name of the coachman.

The sun was hot, yet I got over the twelve miles in two and a half hours, and reached Curry five minutes before the coach, much to my delight. I reached "Townsend" at three o'clock, and found partridges on the table, which enables me to fix the month to a *feather*.

For a twelvemonth I remained at home, and, on the whole, this was probably the happiest year of my life. I was not entirely idle, being in the habit during several home periods of assisting my brother in his office. But undoubtedly pleasure was the chief employment. Smiles of home, the grasp of earlier friends, the

annual ball, the Christmas parties, the rides, the drives, the thousand resuscitations of boyhood's days, all freed from the incubus of school, and the coldness of the world, made the days like moments fly.

This happy year being past, I went off to Birmingham early in 1840, among some acquaintance, to see if something might there be found for me "to do." There I passed about six weeks in lodgings, to no purpose as far as the object was concerned.

There happened an amusing experience, however, and another which might have proved serious. My landlady insisted that I should go to market myself, and I taking pretty much what the butcher recommended, she was astounded by the delivery of a whole fillet of veal! over which a grave consultation was held, the decision being cutlets for three days; then roast; next three days cold; lastly, minced till finished. Still I must go again; and then came a piece of beef, about as much as the veal, and how that was got through dwells not in my memory.

The serious affair was that, having a noisy cough, and consulting a lady friend as to a recipe which my mother, we remembered, always

kept on hand for home consumption and dispensing to poor neighbours, consisting of a pint of vinegar, a pound of treacle, and a tablespoonful (instead of a dessert spoonful) of laudanum, of which half a wine-glass, or perhaps a tablespoonful, was the correct dose. I having thus doubled the narcotic, took also a double quantity to make it more effectual—*i.e.* four times the proper dose—and slept about thirty-six hours. I awoke with a headache, much to the consternation of both landlady and friend, when they heard what had been done ; but the cough was gone.

At the end of the six weeks a summons came from my brother at Taunton, where a relative of his wife required assistance. For that place, therefore, I once more took coach. It was a frosty night, but I was nearing the land of my birth, wrapped in a brand new cloak, and did not mind the cold.

For six months I remained at Taunton, where I set up housekeeping on a small scale in comfortable apartments in the house of the most ungainly, heavy-limbed, large-fingered man I ever met with. He had very thick lips and a decided cast in his eye. Altogether by no means handsome ; more of the elephant type

than any other animal ; but he was a very worthy fellow, and a clever mechanic. He had invented a kind of brass rackwork contrivance for tuning the violoncello, which he played ; and I was much astonished that such clumsy fingers could have made such delicate machinery.

My lodgings were just thirteen miles from "Townsend," so I made a point of visiting that hallowed spot every Sunday, starting to walk either about seven or eight o'clock Saturday evening, or at three or four Sunday morning. For this purpose I taught myself to rise exactly six hours after going to bed, and very soon I acquired the habit of waking to the minute at the end of that limit of time, at whatever hour or minute I retired to rest. Some of the summer mornings were very hot by six or seven o'clock, when the sun almost seemed to have his meridian power ; but I always found that I could make the best progress after the joints had become well oiled, as it were, by vigorous exercise. The eighth mile I could walk in twelve minutes easily. I would then get home in time to rub dry and change before breakfast, and be as happy as a king for the day. Occasionally the Waterloo hero with the horses were sent to meet me

half-way on the Saturday evening, and sometimes I hired a little cart with a fast-trotting pony, and drove the first half, walking in the second by ten or eleven at night. Once I ran two miles in fifteen minutes in order to catch the Vivid coach, about a mile and a half from Ilminster. Generally I drove back on Monday in my father's stanhope.

Nothing very momentous occurred during my sojourn at Taunton. Once I met the famous Sydney Smith, Rector of Combe Florey. On one occasion I walked to Cotherstone Hill, from which I enjoyed one of the finest views in England; the rich valley of Taunton on one side, and Bridgwater, the river Parret, the Bristol Channel, the Holms, and the Welsh coast, on the other.

My sister-in-law's brother, one of the leading solicitors of the place, amused himself frequently by thrashing me at chess; and on an impending election, when Sir Edward Colebrooke was about to become a candidate, my friend made himself particularly hilarious by introducing me to a company of friends as Sir Edward; the joke not being discovered for some days.

When my engagement at Taunton ended, I again went home for a couple of months; after



which, to please my father, I once more set off on a voyage of discovery to London, and from thence for a few weeks to Northampton, on a sort of wild speculation, ending in nothing. I therefore returned home *viâ* London, travelling by the old "Subscription" coach on the night of the shortest day, 1840. The roads were thoroughly rotten with wet, the horses reeking with sweat, and I was able to lie back on the roof without a great coat, and admire the glorious stars,—so mild was the season.

## CHAPTER V.

## CHANGES AND CHANCES.

ALTHOUGH my father was not well pleased to welcome me as "the bad penny," it soon turned out all right ; for there was employment for me in Monmouthshire, with my eldest brother.

When I first went to London, this brother was in partnership with another solicitor, and lived at Bow. Soon after this connection was dissolved, and he went to Aberdare, to practise in the rising town of Tredegar, on the advice of an uncle who lived at Risca. In this latter place there existed chemical works, carried on by a person with insufficient capital, and my uncle, as the friend of all parties, induced my father to advance money to place my brother as a partner in these works, between which and his legal practice he was to divide his attention. It was soon found that the partner was not a reliable man, and he had to be got rid of. More

capital was needed ; and, under the impression that not only I might assist in carrying on the chemical concern, but that, when properly conducted, it would provide for me altogether, as well as partly for my brother, I was sent, with the further advance, to take up my quarters at Risca.

There I remained nearly two years, and in many ways pleasantly enough. There were some agreeable neighbours, one of whom (located at a colliery with his sisters) was a martyr to sciatica in its worst form, having lost the use of his lower limbs.

We had garden and musical parties, and made summer excursions to Raglan Castle, Tintern Abbey, etc. I had my own pony : one of the hardiest, and fastest as a trotter, that could be often met with. So there was plenty of relaxation amid my vocation of keeping the books of the works, assisting in the legal business (among which I well remember poring over an interminable lot of ground leases), and occasional journeys for the concern.

"Rory O'More," the pony, was indeed a very famous fellow, about thirteen hands high. He could trot at the rate of sixteen miles an hour. Had not the event proved otherwise, I might have accused myself of now and then

overtaxing his strength. On one occasion, having to visit several works in Glamorgan-shire, I rode this pony fifty miles, to Neath, in one day ; the following day to Swansea, thence up the valley to some ironworks, and across the mountain to the "Lamb and Flag," in the Neath valley—thirty-six miles at least ; the third day to Merthyr, Dowlais, and Tredegar, and thence home to Risca—thirty-six more. Rory trotted in gaily. He was not accustomed to the collar ; but on some Bristol friends staying with us, I hired a four-wheel trap, put Rory in harness, and drove him, with four of us, round to Raglan, Monmouth, and Tintern—forty-five miles—without apparent distress. Going home at Christmas, 1841, I rode this pony six miles to the Newport boat, crossed with him to Bristol, and thence on, in the snow, forty-eight miles. The return journey was also performed in one day, likewise in snow. Yet, after I parted with him at the end of the time to a surgeon, he for many years did more patient-visiting work than any other horse the doctor ever had in his stable.

During my stay at Risca, in the summer of 1842, I visited Ireland by way of Liverpool, crossing to Waterford, where I was struck with

the fine quay, and on by mail coach to Cork, where I relieved the driver by taking the ribbons part of the way. I had only to go to the Ballancollig powder mills ; but as the Bristol steamer left just after I reached Cork, I was obliged to wait four days for the next, and, to make matters pleasant, my money had run short. In order to economize, I went to bed early, without supper, saying I should be out before breakfast. Accordingly, I walked out the six miles to Ballincollig, breakfasting at a cottage on the way for sixpence (bread, butter, and eggs *ad lib.*, without "hot slop"), and, the business being soon disposed of, returned to Cork to look about at leisure and dine at the Imperial Hotel ordinary at five. The following day being Sunday, I decided to rise late, breakfast, and go without dinner, and calculate how I could get away without waiting for money. Turning into a place of worship soon after eleven, I was surprised to find school going on, and that the service would not commence before twelve. Whilst hesitating what to do, a venerable, pleasant-looking gentleman accosted me, found I was a stranger, invited me to his pew, and afterwards to dinner, walking by the river to Rathmines. He pressed

me to come to him on Monday, to see the town, etc., and dine at a friend's. This worthy gentleman was Richard Dowden (Richard), thrice mayor of Cork. In the course of conversation, my impecunious condition dropped out, whereupon Mr. Dowden, instead of turning immediately cool, as an Englishman would most likely have done, at once offered to supply me with money, and even pressed upon me twice as much as I would take.

At the friend's house, on Monday, I found no less than thirteen daughters, two sons, and the mother, a widow, besides Mr. Dowden and self. To serve these seventeen people for the second course, a single enormous gooseberry pie was placed on the table, large enough, apparently, to supply the company twice round. I was not, however, more impressed with the dimensions of that pie, than with the open-hearted hospitality of the Irish people towards a stray sheep, without either business or introduction.

While walking in the neighbourhood of Cork, I saw Father Matthew, awaiting his horses being put to, administer the pledge to a man kneeling before him at the inn door.\*

\* Ireland and the Irish always interested me since my

Availing myself of Mr. Dowden's kindly aid, I left on board the next steamer for Bristol, a customary twenty-eight hours' passage, in company with a young artillery cadet for Woolwich, a Scotch commercial traveller, and

visit to that country. I occasionally corresponded with Mr. Dowden, once also met him in London ; and I sent him the following lines, which he had inserted in a Cork newspaper.

“ OUR EMERALD ISLE.

“ Bright Emerald Isle ! I love thy landscapes gay,  
Thy noble streams, thy hills, thy meadows green ;  
Thy lakes resplendent 'neath the golden ray,  
When Phœbus shines o'er western skies serene.

“ Sweet Emerald Isle ! I love thy daughters fair,  
Whose radiant smiles pour forth the healing balm  
To lighten toil, or soothe misfortune's care,  
While through the world they vie for beauty's palm.

“ Gay Emerald Isle ! How warm the generous hearts,  
That lie concealed within those bosoms pure ;  
Their friendship, love, and sparkling wit imparts  
To manly virtue, happiness secure.

“ Bold Emerald Isle ! I venerate thy sons,  
Their stalwart strength and vigour far renown'd ;  
Whose moral nature, stung by numerous wrongs,  
Still rules the mind, with firm endurance bound.

“ Brave Emerald Isle ! thy Liberator's hand  
Shall guide thy course when cold his nerveless frame ;  
His deeds be sung while yet in Erin's land  
Freedom hath life, or liberty a name.

“ Long flourish, Emerald Isle ! and still reflect  
That honour ever its reward shall see ;  
Mean envy, scorn,—vile slander, proud, reject ;  
Be firm, resolved, and thou shalt yet be free.”

some boys on their way to school. There were plenty of pigs on deck, and their squealing was frightful, for the weather was exceedingly rough, and these poor brutes were incessantly flogged, either from side to side as the vessel rolled, or to prevent their hustling each other. Four days the vessel battled with the elements; and one night was spent in Milford Haven. Trying again the next day, we had again to put back. The man at the wheel was white with frozen spray all over him. The Scotchman howled and prayed, and woke up the boys, who were asleep, to tell them we were all going down. I tried both laughter and scolding, to no purpose. "If this doesn't frighten ye, the devil wouldn't frighten ye!" said he, and howled on. A third attempt was made by the captain to get forward; but on the fourth day he put into Llanelly, declaring that he would venture no further till the weather moderated.

The young officer, the Scotchman, and myself elected to land, and make for Swansea, from whence a coach ran to Bristol. After some difficulty we found a carrier, who was induced to take us in his wagon to Swansea. It was a long twelve miles' ride at carriers'



pace. Arrived at length about midnight, there were two beds available at the inn, so I and the cadet slept together ; and next morning we started by six or seven o'clock, to travel over that hilly coast road, with the east wind in our teeth, sharp enough to cut us in pieces almost.

The guard, unable to keep his eyes open, and shivering to the bone, comforted his travellers with the promise of some hot coffee at the end of one of the stages. "I shall get some cold water," said I ; at which he *shuddered*. They got their coffee. My water *was* very cold, but it went down, and up on the coach again I was, amid the jeers of the party. A few miles on, however, and their spirits began to droop ; they were colder than ever, whilst the blood was circulating to the tips of my fingers : so much so, that I was able to spare a coat to the young officer, who was not so well provided. I stopped at Newport, but the coat, and a pair of leggings also, went on, and were returned by the guard next day, when I rode in to remit his loan to Mr. Dowden : and so ended an eventful little journey.

Who was that young artilleryman, I wonder, my single night's bedfellow and friend ? I

have no recollection of his name. Will he, or any to whom he may have related these adventures, ever see these lines? or has he long since mingled with the soil in some—it may be Indian—silent grave? For such is life!

There were two notable specimens of mere humanity at Risca. Our maidservant was a very fine woman, five feet ten in her stockings, with a good figure, and large masculine features. In proper uniform she would have well passed for a handsome guardsman; and, employed in the works was a remarkably little man, under five feet high, and small in proportion throughout, perfectly well made. Behind, he would pass for a lad of twelve, contrasting oddly with his little weazen face and grey hair. "What a great woman that is!" exclaimed he; "quite a *gidntress*. I'm *nothing* to her."

The village parson was a good example of natural and harmless simplicity, who paid more attention to acres and crops, than to theological dogmas. He rattled over the Church service in the usual style. Ritualism was not yet; only the last word or two of each prayer he would intone with a whining note, which was not displeasing. There was a kind of standing rivalry between him and the clerk. Parson

desired to get over the work speedily, having four or five miles to travel homewards, and gladly dispensed with the singing whenever he could. But the young people liked to sing, and master clerk favoured their wish. His reverence therefore rushed on, if possible, without pause, from "Amen" to "O Lord," etc.; but if the clerk could be quite awake, with lungs fully charged, it would be, "Amen—let us sing," etc., with stentorian voice, which compelled parson to quietly subside. The running was pretty even, and perhaps it was the chief point of interest with many present, who would be winner to-day!

Most of the land about was the property of Sir Charles Morgan (his son was afterwards created Lord Tredegar). The works, etc., belonged to him, and we purchased a good deal of his wood, when periodically cut, for use in the manufacture. The land or wood agent, a good man of business probably, was a jolly sort of fellow, fond of whiskey himself, and delighted at overcharging any visitor he might entertain. One Sunday he invited myself and a friend to dine. Whiskey was speedily produced to wash down the viands, and kept going afterwards. I had, of course,

to outstand the pressing, bantering, and badgering, to which I had long before become callous, and the others were fain to "enjoy themselves" whilst I looked on. But I had not bargained for a new experience, and found it necessary to rise to the occasion. Myself and companion had a long walk before us, over the mountain, after dark. Though, while sitting still, a man does not know how soon he is overtaken in his cups, I was able to perceive that my friend had had as much as he could comfortably carry; when our host, as bold as brass, insisted on mixing up one more final glass. I was by far the youngest of the party, but this I determined not to stand. I therefore seized the glass; peremptorily ordered my companion out; and assured the now blustering host that if he persisted, I would empty the contents, either in his face or on the floor—I forget which. They did not understand being thus outfaced by a beardless boy; but had to submit, and off we marched.

A few minutes in the open air, however, convinced me not only that I had done right; but that I should have been justified in acting a glass or so earlier. Never had I such a task as that of getting my unfortunate friend

over that mountain, through the village, and into his bed, so as to avoid scandal. This I believe I did accomplish, never having reason to imagine that any one besides our two selves witnessed or heard of the circumstance. The sufferer was very ill the next morning; and when I saw him, my recompense, as far as he was concerned, was being reflected upon for allowing him to be so victimized, by not having earlier interfered. "*Blow, blow, thou winter wind!*"

With reference to dining in general, I might be said to have liked what is called "good eating" at that time; and one of the best dishes I knew of was the Risca hashed mutton—so different from the dry chips, swimming in thin gravy, generally seen under that designation. The hash was a science there, and the roast leg was treated with regard to it, chiefly, on the previous day, by being about half done. The carving was just to slice off the outer skin, as it were, of the joint. Next day, the gravy having been first made hot and seasoned, the deep red slices were dropped into it, only just long enough to be heated through, and the dish was "fit for a hemperor," as a vulgar gourmand I have heard of used to say.

The house at Risca was pleasantly situated on the side, near the base, of a mountain. That on the opposite side, to the east of the valley, was about 1070 feet above the sea-level. Towards the south the windows commanded the Newport valley, tolerably well wooded on the hillsides; and in the distance was visible the Bristol Channel, on which a vessel could occasionally be espied with the naked eye, especially if the sun was shining on the sea; and in the woods the nightingale was heard.

There were moments sometimes tinged with melancholy, when recollections of those south of the "silver streak" rose in review. Correspondence, occasionally kept going, is not like the eye, the tongue, the lip, the smile! Stepping from the sublime, one June evening, and lighting on a stile at sundown, I first essayed to think in verse, producing "Evening," since set to music by "Cremona." \*

In 1842 it was found that the chemical works did not pay. Markets were overstocked, and prices were down. The business, accordingly, was given up, and I, with Rory, once more returned to the land of my birth, deter-

\* Music Publishing Company, 54, Great Marlborough Street, W.

mined to have nothing more to do with mercantile concerns.

My brother at home could find me office employment; and added thereto, the organist, a most worthy man and scientific musician, strongly advised that I should cultivate my vocal powers, with a view to singing in public. I went to London to consult Tom Cooke, who recommended my working hard at practice. He was, in fact, an unfortunate counsellor, encouraging me to force the upper notes instead of coaxing them, which is the true method. Acting on Cooke's advice, I spent most of the year following at home, bellowing in an outer room to such an extent that the vocal chords became relaxed. Then my old schoolmaster, himself a very fair singer, recommended my going to Crivelli and the Royal Academy of Music. My father somewhat reluctantly agreed to spend a little money on the trial. To town and the Academy I went accordingly in April, 1843.

In the preceding January my mother died. She had been long bedridden with slow paralysis, so that her death, though keenly felt, was a release from suffering. Whatever there was of good in me I owed to her care and

watchfulness when young. As before intimated, she was full of proverbs and wise sayings. Especially the power of saying "No" to the tempter, she would often illustrate by relating the story of an old gentleman who took his son with him to a public dinner, in order to set him an example. Pressed to take more wine than he thought good, he steadily declined, whereupon, as was the fashion of the day, the company became clamorous. "You must drink so-and-so," was the cry, when, turning his glass upside down, the old gentleman exclaimed, "I shall take no more wine; and now let us see who will make me." The revellers were dumb, and the youth never forgot his lesson.

Upon joining the Royal Academy of Music, I was placed under the tenor singer, H. Bennett, who pronounced my voice an alto, because I had a powerful falsetto or head voice; and he boasted to some of his brother professors, "You will see what a singer *I'll* make." My advisers, however, still pressing me to go to Crivelli, I did so, when the signor ridiculed the idea of turning a robust tenor with "a voice like Mario's," as he said, and almost a baritone in the lower notes, into an alto. He said also that I had been straining the vocal chords



after the higher chest notes, and must not sing at all for some months. I therefore left the Academy to take private lessons from Crivelli, when the time should arrive.

Meantime I consulted a German hydropathist for the relaxed throat, who, hearing that my habit was to eat animal food thrice a day, in obedience to the advice of the friend who bought Rory, and other doctors, to the effect that, as I abjured all liquid stimulants and narcotics, it was necessary that I should eat more "nourishing food" than was customary—"Look at me," said the German, "I have not eaten any meat for thirteen years. You should eat *none*." My inclination had for some time been pointing in that direction; and seeing this hearty-looking man, nearly six feet high, who had been so long without, I at once commenced restricting myself to a vegetable diet.

From this habit I have never swerved since the summer of 1843.

I visited the hydropathic establishment at Ewell, where I was introduced to the two most important acquaintances of my life—the American, Sylvester Graham, through his grand physiological work, "Lectures on the Science

of Human Life ;” and the young lady who was in future to become my partner in the world.

The loneliness of my condition during these years of my struggles in London made me low-spirited enough at times.\* Earning nothing, hating to sponge upon my father, who had suffered such heavy losses at Risca, and consequently keeping out of company, never did mortal wander daily midst a crowd feeling a more hearty appreciation of Byron’s line—

“This is to be alone ; this, this is solitude !”

I occasionally visited Ewell (meeting the

\* Some of my melancholy musings now and then gave vent to themselves on paper ; as, for instance—

“There’s a vale in the West that I ne’er can forget,  
O’er the earth no such valley is seen ;  
Where my eyelids, unclosing to beauty, first met  
Nature’s loveliest mantle of green.

“There a mother so tender, a father so kind,  
Many brothers and sisters still dear ;  
All the friends of my childhood were there left behind ;  
Now—no music of welcome I hear.

“There was lighted the ray, of all others that shone,  
Far the brightest, most lovely, most fair ;  
Ah ! that star proved a meteor, it flashed and is gone ;  
Mine the cold heartless blank of despair !

“Yet my fancy will wander o’er field and through grove,  
Still enchanting affection will smile ;  
Fondly ling’ring, where mem’ry can ne’er cease to rove,  
On the sweet flowry banks of the ‘ Ile.’”

young lady only the first time, however); and among other recollections of that place was a walking match between the German doctor, a patient over six feet high, and myself, whose measurement was five feet seven. The distance, a mile and three quarters, I accomplished in seventeen and a half minutes, fair toe and heel walking. Longshanks gave in the first half-mile; the German touched the milestone, but stopped soon after on the return; and I finished only to take note of the time. That short walk, however, made me stiff in every limb for a fortnight.

About six months after I was hastily summoned to see my old sciatic friend from Risca, who had come to Ewell by my advice to try hydropathy. He was getting on so favourably as to be able to walk a short way without a stick, which he had not done, except with the aid of a crutch, for very many years; and was just being worked up into the state of "crisis," boils beginning to appear (so that the doctor made sure of a speedy and complete cure), when Christmas day arrived, and the patients, much to their adviser's disgust, fancied they could not do without a plum-pudding, which, in the absence of any skilled cook, was very ill made, and as

heavy as lead. My poor friend, amongst the rest, feasted on this abomination, which in his critical state brought on gastric fever, under which he sank.

Responding to the doctor's summons, I ran the whole way from Kingston station—four and a half miles—but arrived too late; he had just expired, and I found the German doctor half frantic with grief and rage. In consequence of this cruel disappointment, I believe, his establishment was soon broken up. At all events he left England not long after.

Being almost without society, except that of my old musical friend,\* who about this time

\* Thomas Gardner, a self-taught musician, a youthful worshipper of Jacobs, organist of Rowland Hill's Chapel, whom he used to watch with intense ardour; but he never had a lesson in his life. He laboured away half the night on an old piano. An organ with three rows of keys and pedals having been picked up a bargain at Bristol for Ilminster Church, candidates were invited to play before Westlake of Exeter Cathedral. Three rows of keys were not often to be met with half a century ago (*i.e.* 1828). Tempted by the instrument, Gardner went down, distanced his competitors completely, and interested the umpire much by his original method of modulation. About ten years after, the great organ in Birmingham Town Hall was built; and candidates had a severe test to undergo before Goss, Novello, Knyvett, and Walmsley. Four only would compete, Gardner being one. These candidates were in a room

became organist of St. Michael's, Highgate, I had frequent recourse to the theatre during the winter evenings. Phelps, in conjunction with Mrs. Warner, was then endeavouring to create a popular taste for Shakespeare at Sadlers

where the pedal pipes only could be heard ; and now and then a boom penetrated, and that was all, during the performance of three of them. While the fourth (Gardner) was at the keys, however, the pedal pipes were heard with the regularity of a metronome throughout the whole time ; putting the competitors thoroughly out of countenance. But the umpires knew who was playing in each case, instead of taking them by lot as they should have done ; and two of the four were friends of the successful candidate. They nevertheless debated for an hour, and then based their decision on the opinion that *florid* music was probably most suitable for the audiences likely to be gathered in the hall. But they did not ask the best player of the most difficult and classic music, in accordance with their own programme laid down for him, to play some additional lighter pieces. A handsome speech, and a present of five guineas (which was not in the bond) was made to Gardner ; but from the facts, none can doubt that his had been the best performance.

Some five years subsequently, on a similar trial at Highgate before Goss and Novello, the thirteen candidates playing by lot, there was but one opinion in the church—that No. 3 (Gardner) was the best by far ; and there he remained for thirty years until his death, March, 1873, the most modest of men, but the first *organist*—*i.e.* best performer on the organ—that England has, perhaps, ever produced. A few miscellaneous compositions of his, bequeathed to the writer, may, it is hoped, be some day published.

Wells ; and I visited the pit, night after night, to witness his inimitable representations of the great characters. One season especially, when Macready was playing at the same time at the Princess's, I made a point of seeing and comparing the two performers, successively, in *Hamlet*, *Lear*, *Othello*, and *Macbeth*. In each case I very decidedly gave the palm to Phelps, who always lost his personal individuality in the character he was portraying ; but Macready seemed as invariably to be studying for effect : *See how well I am doing this*. As one result, he occupied a full hour more in performing either of those plays than Phelps did. It was several years, however, before the first place was accorded to Phelps in the public estimation. With the multitude every man must work his way.

In the spring of 1844 I joined the committee for promoting the Dissenters' Chapels Bill,—calling, in company with others, on many members of Parliament to explain the necessity for the measure. I naturally derived much pleasure from the speeches in both Houses, having been present during the debates. Lord Lyndhurst was then chancellor, and his utterances on that Bill abundantly proved that

liberality of sentiment is by no means confined to the Liberal (so-called) party.

I had a few pleasant words from him at his residence, Great George Street, in 1860, on the case to be hereafter mentioned, when, blind—and nearly ninety—he occasionally electrified the House of Lords with his Nestorian eloquence; and I recollect having been particularly struck by the smooth and really handsome appearance of his mellowed and placid countenance.

In the Commons there was a splendid display of eloquence—Sir W. Follet, W. E. Gladstone, T. B. (afterwards Lord) Macaulay, whose delivery I thought somewhat pompous, though his allusion to the “braying in Exeter Hall” caused considerable amusement to those who heard him. Sir R. Peel’s ample white waistcoat was perhaps more conspicuous than his language, notwithstanding that that was of the right sterling kind. The climax was given by the great Parliamentary rhetorician of his day, Richard Lalor Shiel, himself a Catholic. But for one defect, a shrill, piping voice—in whom shall no defect be found?—Shiel would have been absolute perfection as an orator. It seems a pity that such passages as Macaulay’s

sarcasm, above given, and the final words of Shiel's thrilling peroration, should, from feelings of delicacy, be afterwards suppressed. I could never forget Shiel pointing to Sir Robert Inglis, the representative of intolerance, whilst he denounced the bigots associating themselves with "the Right Hon. Baronet, who, sitting in his iron chair, read the Book of Mercy by that lurid light, with which Geneva was illuminated, when Servetus was consumed."

Attending a meeting at Exeter Hall on one occasion, I heard the great Irish Liberator, Daniel O'Connell, who then converted me to his views in opposition to capital punishment. The fallibility of human testimony is such, that, upon it, no life should be taken, which can never be restored in case of mistake. O'Connell graphically described a scene he had witnessed, when four young men, brothers, were marched through the streets of Dublin to the gallows, convicted of a murder of which they were innocent, the youngest eighteen, and the mother of these four boys broke through the ranks of the soldiers to embrace her youngest child; her frantic energy was too great for the restraint of the guard. But she hung about his neck to little purpose. They were all four executed;



and afterwards the real murderer upon his deathbed confessed the crime for which those victims had thus unjustly suffered. This terrible fact convinced O'Connell, and it convinced me.\*

\* See "Thoughts on Capital Punishment," p. 180.

## CHAPTER VI.

## SETTLING DOWN.

THE study of Sylvester Graham's work on "The Science of Human Life" led me to the conclusion that, physiologically speaking, the best of all diet is uncooked fruit. In the summer of 1844 I confined myself strictly to such diet, which I continued for twelve months, without even bread, and during that time I drank nothing. The esculent fruits furnished water enough to supply the serum of the blood, so that I was never thirsty ; and nuts, of which I kept eight sorts for variety, formed the staple nourishment. Twice, daily, a dinner plate full of nuts and a dozen apples—or oranges when neither apples nor summer fruits were to be had—with a Shakespeare or other book for reflection, would occupy me for a couple of hours ; both slowness and thorough mastication

being thereby secured. The fluids of the body were never in better order than during that year. Friends, however, pestered me by letter ; my brother gave it as his opinion, from what he heard of me, that my life was not worth a year's purchase, etc.

About this time I had promised to visit a friend at Northampton, and determined to test the degree of weakness to which, as thus alleged, I had reduced myself. I had never been a great pedestrian, and knew nothing of training, etc., but made up my mind to commence my journey on foot, considering that when tired I could finish it by rail. I accordingly went to bed about six on a Sunday eve, got up at midnight, and left Leicester Square, where I was then located, at half-past twelve, during an eclipse of the moon, in November, 1844. As for preparation, I wore boots with soles as thin as a shilling—pumps, in fact—and my trousers were tightly strapped down, the fashion then prevailing of continuing the trouser by a broad strap, tapering so as to button under the sole of the foot ; the pants were therefore quite tight, and every step a pull upon the muscles above the knee. I took sufficient nut provender—without shell—to

furnish two meals, and two dozen small swan-egg pears for drink.

Getting upon the great north road, I reached St. Albans before breakfast, at the quiet pace of three miles an hour. Continuing my walk towards Dunstable, I consumed half my provisions, and kept on for Woburn, where, before an inn door, I saw a pair-horse coach.

It is remarkable that, besides that coach, I met with but one single vehicle, a light cart, on this once renowned north road, during the entire journey.

I did not feel exhausted at Woburn, but thought it might be prudent to make for the railway. On inquiry, however, I found that the nearest station was Wolverton, fourteen miles off, and not on the direct road. I at once settled that I might as well proceed straight on, and sleep on the way. Forward, then, I went to Newport Pagnell, which I reached about half-past four—fourteen miles only from the finish. The customary hour for my second meal was four; I accordingly “set to,” and, invigorated thereby, and feeling as fresh as ever, I turned on steam, and walked into Northampton at a quarter before eight, finishing at the rate of five miles an hour the entire sixty-eight miles,

without a single halt, in nineteen hours and a quarter.

My old-fashioned friends, George Baker (no relation), author of the "History of Northampton," and his sister, who published a dictionary of the dialect, greatly feared I might be found dead in the morning ; especially as, having had my usual two meals, I declined to eat anything more that night. I was, however, downstairs before any of the family next morning, very much to their relief, feeling none the worse, except that the thigh muscles were a little strained by the action of the tight straps.

A London cousin, hearing of this feat, sent the news to the *Morning Herald*; and a Northampton editor remarked that his London contemporary had surely been hoaxed, for had any such extraordinary circumstance occurred, they must have heard of it—which yielded no little amusement to those in the secret. The feats of Weston and his contemporaries had not at that time become common.

I did not consider it necessary to walk back to London, in order to prove that my life *was* "worth a year's purchase;" but in August of the next year, 1845, having a desire to see Scotland, I left the Thames in a small sailing

trader, for Berwick, to return thence on her next trip.

Landed at twelve o'clock, Saturday, with the understanding that the vessel would sail again the following Wednesday, I walked from Berwick, twenty-six miles, to Kelso. The next day, Sunday, passing the very beautiful seat of the Duke of Roxburgh, I made Galashiels, twenty-eight miles, taking a peep at Melrose and Abbotsford on the way. The old lady in charge of the Abbey would by no means break the Sabbath by showing me the ruin on that day, but she lent me the key to get in; and though she did not like to gather currants, she kindly tore off a large branch, from which I might help myself! Whether from previous association, from taste, or the want of taste, I did not think the fair ruin of Melrose quite equal to that of Tintern Abbey.

Abbotsford I saw only from a distance on my left, ascending the hill towards Galashiels, beyond which I slept at a little roadside inn. (Bannocks, lettuce, and potatoes for supper, and bed, eighteenpence inclusive.) This I left at four o'clock a.m. on Monday, for Edinburgh—twelve miles. There, during a couple of hours or more, I feasted my eyes on the High Street,

Arthur's Seat, the Scott monument, Holyrood, the castle, and the view from thence. After which I took rail for Glasgow, and there spent two more hours, perambulating the streets and quays on the Clyde. Returning to Edinburgh, taking in a glimpse of fine scenery towards Stirling on the way, I walked out to Musselburgh to sleep, by 11.30.

Possibly on that day I may have covered nearly forty miles. On Tuesday I was on the road again by four a.m., on my way towards Haddington. Near this place I encountered a beggar, to whom I offered part of my breakfast—ship-biscuit from Glasgow; but his teeth could not manage such hard fare, so I was fain to give him sixpence to provide himself better to his taste. This was a very hot day, and I became somewhat footsore; but after resting at a cottage by Dunbar (the gudewife giving me some excellent potatoes; while the children were highly delighted to run after pennies which I rolled on the floor), I pushed on past the Lammermuir Hills to Berwick, reckoning—though I got a lift in a cart shortly before reaching the end of my journey—that I had made forty-eight miles that day. That little tramp, before I got on board again, cost me

eleven and sixpence—beds, board, railway, and alms inclusive.

From my own experience, as well as for scientific reasons, I have never since doubted that the simple diet of uncooked fruit is the best suited to the human organization; but after marriage I was led back to cooked vegetables, etc. (for women will generally prefer cookery), as well as cereals and fruits, which of course makes a greater variety, if not quite so physiologically correct.

My musical studies were now, as has been said, carried on under the tutorship of Signor Crivelli, long the leading vocal professor of the Royal Academy of Music. He was one of the most genial and kind-hearted of men, charitable to a fault; he was seldom without some impecunious Italian sponging upon him. I was frequently his guest, as well as pupil; but being of an extremely retiring disposition, he never put himself forward, nor could he push his pupils into notice. I, indeed, regarded it as an especial honour that he one evening attended a concert to hear me sing in public.

My father did not like the profession of music; and without capital, or friends who can introduce him, it will always be exceedingly



difficult for an unknown singer to stand his ground in the absence of any patron to push him into notice. The applause showered upon a successful vocalist is generally more than counterbalanced, at first, by jealousies, and still more objectionable qualities—too frequently inherent on the musical art, among those with whom the new aspirant is necessarily brought in contact.

Determined not to apply to friends for further pecuniary aid, and finding that the ability to obtain any amount of applause in private, did not by any means supply as a consequence the means of living, I became despondent over the matter. When visiting my professional friend's London agent, on one occasion (himself a perfect encyclopædia of law), he very strongly urged me to turn my attention in the same direction. "You know," he said, "much more about law than I did when I began on my own account; why should you not succeed as I have, and as others have done?" So I yielded to his advice, and asked him for work, which he readily accorded; and soon, when he had anything in hand requiring particular care, he did me the honour to inquire for me.

I gave up my chambers, took an attic at five pounds a year, lived on almost nothing, and began to deposit in the Savings Bank.

Nor, having relinquished art, did I exclusively confine myself to law. A theological professor and friend endeavoured to persuade me to take up divinity, encouraged me to write sermons, and persuaded me occasionally to supply for him in the pulpit. I undertook this duty in several places, and even in one, forty-five miles from King's Cross, I conducted two services on the Sunday for three months, for that purpose travelling from Fulham and back the same day.

Then about this time the movement for sanitary reform—initiated by the Health of Towns Association—was becoming active, and I volunteered assistance in getting the London clergy to sign a petition in favour of the Health of Towns Bill. I had very little success with these clerical gentlemen (though very civil, they would not sign), until, finding that the Bishop of London (Dr. Blomfield) approved the movement, and was then holding a series of confirmations, I managed to attend several of the churches, wherein small congregations of clergymen were gathered together

in the vestries. If one began, especially if he were an archdeacon, a dozen or more would take the pen one after another; and I speedily had sufficient names to satisfy the Earl of Carlisle, who, in presenting the petition to the Lords, expatiated in eloquent terms on the sufferings witnessed by the signatories, which had induced them to step forward on behalf of their unfortunate parishioners!

Law, however, was now my chief pursuit, one to which romance seldom attaches. There was, nevertheless, a celebrated Chancery suit, in connection with which a voluminous correspondence came under my notice, exemplifying in a high degree, all round, the fatuity of avarice.

Dr. Cochrane, the second son of a spendthrift father, left his Scottish home for India as a young surgeon. He wrote extensively, and sad were his complaints at banishment from friends, etc., while his elder brother, idling at home, would get the family estate. Year after year he worked and toiled and saved; period after period for long-promised and deferred visits passed by; and still he laboured and rose, step by step, until he became the head of the Medical Board under the East India Company. At length, when he could rise no further, and

had amassed a fortune of £150,000, he returned, in his old age, to wander in vain up and down Europe in search of a climate that might suit his infirmities—the coveted estate he had secured, but could not inhabit it. In India he had married a princess, and from thence sent their daughter to England to be educated: but on leaving India he forsook the Begum, and married a legitimate wife in England, by whom he had two sons. Then he amused himself by making wills to secure, in the cleverest manner, his hard-earned gold. To his daughter, of whom he was very fond, and who had married a half-pay lieutenant, he promised a lac of rupees (£12,000), and in one will gave her that sum. In a subsequent will, however, forgetting this legacy, he gave the whole of his property to the survivor of his sons at twenty-five; and him and issue failing, to the children of the daughter. The surviving son died before twenty-five; having married, but leaving no issue; nor had the illegitimate daughter any child. Decade after decade went by, while these poor people were trying to persuade the Court to give them a slice of the vast estate.—No. The promised £12,000?—No; the domicile was not Scotch, so the law of Scotland would not

avail the Scotchman by birth. A compromise was recommended, and £16,000 actually offered ; but they would insist on £20,000, and so the sickening process went on, and she died in poverty.

The son's widow married successively two barristers, by each of whom she had one daughter. The last husband, who fought the old doctor's first-born (child of the Begum) so long, took, at the final wind up, one-third ; and the two daughters (their mother being dead) another third (or £75,000) each. But he had meantime become involved in building speculations, and lost both his own and his daughter's shares. He became deranged, and a poor man after all, as he richly deserved. His second wife opened a school and his *quondam* rich daughter went out as a governess. Thus the chief benefit arising from all this scraping, hoarding, and scheming eventually fell to the lot of creditors, the pockets of lawyers, and a few persons in no way related to the gigantic fortune's architect and testator.

*Auri sacra fames !*

I had some experience of protracted sedentary labour at this period of my life, as I had previously with muscular exertion. Over one long piece of work I applied myself for six

days and nights, resting only thrice, four hours each time, during the week.

I now determined not to continue leading a solitary life, even should I find it necessary to emigrate. Having saved sufficient to pay the passage out, I resolved that that sum should, under no circumstances, be encroached upon for any other purpose. Then I set about finding the young lady I had met at Ewell four years previously; succeeded in my search, and afterwards in my suit, and got married in December, 1847, much to the disgust of relations who, like most prudent people in the world—very properly, perhaps, in the generality of cases—think of money first, and marriage after. My wife had nothing, and I was much in the same condition, except as before mentioned; but we set to work energetically to help each other.

We occupied part of a house at Walworth, when, in 1848, Feargus O'Connor held his huge meeting on Kennington Green, preparatory to the presentation to Parliament of the giant Chartist petition. Great preparations were made by the authorities to guard against riot. I, among hundreds of others (the subsequent Emperor Louis Napoleon being one), patrolled the street as a special constable. Feargus,

however, was warned by the police that, if any outbreak took place, he would be the first man shot, so he induced the mob to disperse quietly.

In the year 1849 a friend of our family died, who had taken the active part in the management, as committee, of the affairs of his brother, a lunatic of good property, resident at Fulham. The sole remaining committee (the elder brother) being a confirmed invalid, resident in Devonshire, could attend to the business only through others, and we were invited to take charge of the Fulham establishment, consisting of the lunatic, his attendant, and other servants, the allowance from the Court of Chancery being £700 a year. This was getting into clover in one way, and we were comfortable enough until the death of the patient, three years afterwards; but I subsequently had good reason for the belief that my wife's health had been impaired, by nervous feelings she could not overcome, though she kept them to herself at the time. There really was no danger whatever in our very limited association with the patient, therefore the evil was not suspected. Moreover, it was not until afterwards I learned that my wife's entire nervous system had been seriously injured in infancy.

A carriage was kept for the lunatic, which he could seldom be induced to enter; it was chiefly, therefore, at our service. My early skill in driving I found highly advantageous, threading the streets of the metropolis.

The brother was delighted with our management of affairs in general; he never seemed tired of expressing his obligations, and admiration of firmness, kindness, etc., etc., in all difficulties.



## CHAPTER VII.

## OFFICIAL OCCUPATION.

WHEN the cholera of 1849 was raging, the General Board of Health (created by the Public Health Act, 1848), a new department with a very limited staff, was in need of assistance. I was therefore asked to enter their office at Gwydyr House.

I had no fear of contagion (the "contagium germ" theory, which of late years has had so baneful an effect, causing perpetual panic, had not then been invented), and willingly went, to work upon cholera statistics, etc., sitting up often—on one occasion three whole nights in the week—working out mortality tables for Mr. Chadwick.

My experience during the cholera period precisely coincided with the description of the epidemic influence given by Dr. Wynne, in his

report on the cholera at Baltimore—viz. an uncomfortable feeling in the abdominal region,—so that doubtless I imbibed plenty of “contagium germs,” but no attack of cholera supervened. The nearest approach to anything of the kind I ever felt was some years subsequently, when I went with a medical friend to see a human limb, which had been preserved by some disinfectant, exhibited to some students at Bartholomew’s Hospital. Whatever its condition, my senses were disgusted sufficiently to bring on a fit of diarrhœa, which, however, I stopped by a dose of McDougall’s disinfecting fluid, diluted with an equal quantity of water.

This fluid (carbolate of lime) may not only be sometimes taken internally with advantage, but is at all times most valuable for wounds or sores.

Immediately after the publication of the General Board’s first report on quarantine, which dealt mainly with cholera, Dr. James Gillkrest, inspector-general of army hospitals at Gibraltar, came over to England for the purpose of communicating to the Board his experience on the subject of yellow fever.

Dr. Gillkrest had previously volunteered valuable service to the metropolis during the

cholera of 1832, when panic prevailed in consequence of medical ignorance of the new danger. He then visited the sick wherever cases were to be found throughout the day, and wrote his report in the *Times* office at night. One fact he more than once mentioned in my hearing, viz. that throughout his visitations in 1832 he never found ministers of religion attendant on the dying, with the notable exception of the Catholic priests. These in no instance were deterred from duty by contagionist fears, which scared the entire collection of Protestant clergymen.

It was in 1823 that Dr. Southwood Smith, a native of Martock, Somerset,—of whom, as a young man, my father thought highly,—commenced a series of articles in the *Westminster Review*, for the purpose of showing to the public, and the Government, that the health of the people and the rate of mortality, especially during epidemics, depends greatly on sanitary local conditions, such as surface drainage, water supply, sewerage, freedom from nuisances, etc. ; that attention to these matters was the duty of Government ; and that the popular fear of contagion, from person to person, is a mere superstitious absurdity, leading to great cruelty and

neglect towards the sick, by isolating them in fever-stricken dens, under the name of quarantine, inimical alike to life and to commerce.

When, after many years of philanthropic labour, that excellent man had succeeded in awakening statesmen to a sense of their duty in this respect, and the Public Health Act, 1848, was passed, supplemented by the Nuisances Removal Act, in view of the approaching visitation of cholera, under which he, as fourth member, was added to the General Board of Health, this great subject of quarantine naturally claimed their first attention.

It should be observed that the General Board was strictly a sanitary board, to promote and supervise sanitary improvements in towns, *i.e.* engineering works; whilst the Nuisances Act contained special powers to be put in force by Order in Council only, in view of any threatened epidemic; enabling the Board, with the aid of a temporary member and inspectors, to direct and guide local authorities in guarding against the danger.

These powers of the Nuisances Act were put in force in the autumn of 1848 for six months; renewed in the spring of 1849; and again for three months in the autumn of that

year; after which Dr. Southwood Smith went out of office.

On the arrival of Dr. Gillkrest he applied for assistance in preparing a monograph on yellow fever, when I was deputed to afford him the requisite aid. He was about eighty years of age, had worked hard, with enthusiastic zeal, and been well knocked about during the great duke's campaigns. He had twelve bars appended to his Peninsular medal, proving his presence in twelve general actions in that war alone,\* and had seen much service in the West Indies also. He boasted of having been in one more action (Corunna, I believe) than his idol, the duke. Never have I witnessed greater mortification, nor felt more disgust at mere red-tapery, than I did at the cruel refusal to this old man of a C.B. ribbon. That decoration had been, years previously, conferred on all senior medical officers in charge before the enemy during any general action in the Peninsula. Now, at the greatest slaughter of the war, the storming of Badajoz, Dr. James Gillkrest was the senior medico who *volunteered* for that almost forlorn hope, which made the great commander weep over the loss of thou-

\* Surgeon, 43rd Regiment.

sands, and the doctor caught in his arms Fergusson, afterwards General, who fell wounded on the ramparts. But the whole army was not present, and the *principal* medical officer did not volunteer. Though no other such case could be cited, this poor old hero had not *nominally* been senior in charge before the enemy, and therefore all his repeated pleadings, nearly forty years after the event, for the much-coveted bauble were refused, presumably by a mere red-tape clerk. The getting a report from Dr. Gillkrest was no light work. It was, indeed, the hardest literary task which it has ever fallen to my lot to accomplish. He had probably had more experience of yellow fever than any other living Englishman ; having served most of his time in warm climates, and made this disease his special study. He had been, moreover, many years principal medical officer, and superintendent of quarantine, at Gibraltar.

The doctor had been collecting materials through a long life ; had his different facts and observations on the several heads of inquiry carefully sorted and labelled, with various coloured papers to distinguish them ; but had lost the power of concentration necessary to put these materials together. After much time

practically wasted, I found it imperative upon me to study and get well hold of the subject, in order that the part of editor might be efficiently performed. Of course I could not venture to take any important step without the approval of Dr. S. Smith. At length a valuable report was produced, and I cannot forget the astonishment of some of Dr. Gillkrest's most intimate friends, who had served under him as assistant-surgeons, at the result which they had so long hoped for, but always despaired of, having been actually obtained. For they never had met with any one previously, able to do anything with their *quondam* superior, who had a very strong will of his own.

Several of those gentlemen rendered valuable aid to the volume finally produced ; *e.g.* Dr. Alexander Browne, late surgeon, 37th Regiment, a man of much erudition, judgment, and experience ; Dr. W. H. Burrell, afterwards principal medical officer at Malta ; and Dr. George Brown, surgeon-major, Grenadier Guards, etc., etc.

I also obtained important papers from the records of the Colonial Office, and Army Medical Department. Dr. Southwood Smith himself drew up the report of the General Board

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of Health, "second on quarantine (yellow fever)," in his usual masterly manner ; and so important was the volume \* considered by the authorities, that it was translated into French, and also (at the special request of the then governor of Malta) into Italian, and transmitted through the Foreign and Colonial Offices to all civilized countries and colonies.

Quarantine was then thought to have been put an end to ; the *Hydra* contagion crushed ; abject fear abolished ; and common sense about disease firmly established. " If," wrote Dr. Peacock, Dean of Ely, " Dr. Southwood Smith had no other claims on the lasting gratitude of the nation, I would refer to his reports on quarantine as quite sufficient to establish them. They have contributed more than any other publications on this subject to dissipate the gross and mischievous delusions upon which these regulations are founded, and which are known to be so injurious to the free commercial intercourse and prosperity of nations."

I had hold of the incidence of yellow fever epidemics in warm climates at this time sufficiently to warrant my attending a meeting of

\* Presented to Parliament at the end of session, 1852.



medicos at their rooms in Berners Street, to hear a paper, by the then medical officer to the Customs, on the yellow fever at Rio Janeiro in 1849. He was a thorough contagionist, and had previously made himself conspicuous by his advocacy of the contagion theory in the noted case of the *Eclair*, at Boa Vista (1845), which theory in that instance had been completely refuted by Dr. King, of the navy; and also by Dr. Southwood Smith, and Dr. A. Browne, in the Board of Health report.

I knew what the coming paper would be; and had copies of all the consular correspondence to our Foreign Office on the matter, in my hands, at the office of the General Board. I therefore went to the meeting prepared to controvert the contagionist. This I did to my satisfaction at an adjourned sitting, when the members were congratulated by the mouth of Mr. Pilcher, a leading surgeon of the day, on the advantage of having a layman among them on a question of disease-importation evidence.\*

Dr. Gillkrest could not resist making an expedition to be present on the occasion,

\* The discussion appeared in the medical journals of the day. See p. 302.

and could not have been more pleased had he secured the red ribbon. He afterwards introduced me as "the man who slew McWilliam." Dr. Burrell, too, would tell his friends that I knew more about fevers than many medicos!

It is astonishing to what shifts presumably educated men will sometimes resort to maintain a pet theory, such as that disease has been conveyed by contagion from a distance, rather than having been indigenous to the locality of an outbreak.

When cases of endemic disease occur in a hot season, nothing is easier than to excite panic throughout a population, provided the bugbear be set a-going by a doctor; who at once becomes a great discoverer, a transcendent genius, the benefactor of his species, to be loaded with riches and honours.

Witness Jenner, Pym, Pasteur, and Koch.

Suppose the last-named to have found "microbes" present in cholera subjects, does that prove that these came from outside, and caused the disease? Is it not far more in accordance with pathological science that the said microbes result from the disintegration or breaking down of the intestinal structure, brought about by a disease engendered by combinations of filth,

miasm, foul food, heat, lung-poison, and corruption of blood ?

I have frequently heard Dr. Gillkrest relate the fact of the superintendent of quarantine, during many years, rising at a Board of Inquiry at Gibraltar, over which he presided, with the case-book of a regiment open in his hands, and saying, while his eyes were on the book, "This" (alleged symptom) "could not have been the case, as I see the man was bled." Upon which Dr. Gillkrest struck his assistant-surgeon (Dr. G. Brown) quite a blow, and shouted, "Look at the book !" After which he marched out of the room with the book under his arm, saying that he would attend the inquiry no longer, for "your President has perverted facts." There was no such record in the book as had been pretended.

That inquiry was held by direction of the colonial secretary, for the purpose of determining whether the yellow fever epidemic at Gibraltar, in 1828, had been imported by the ship *Dygden* as alleged, or was indigenous to the rock. The results of the inquiry were far more important than is generally appreciated. The majority of the doctors, led by the superintendent of quarantine, pronounced (as they

always do) that the disease was imported. The judge advocate, a lawyer, however, was of opinion that the foul state of the drains, etc., combined with the heat of the season, had caused the fever. Having explained his reasons (this paper is given in the second report of the General Board of Health on quarantine), Sir George Murray sent out orders for the thorough drainage of the garrison. The consequence has been that, whereas yellow fever epidemics were of frequent occurrence in Gibraltar formerly, culminating in the severest outbreak of 1828, there has not been one since. It is even doubtful if there has been a single sporadic case of that disease.

In collecting materials for the yellow fever report of the General Board, I was sent to the Army Medical Department, where an inquiry had recently been held, to obtain a copy of the proceedings. Dr. Burrell, we knew, had sent in a lengthy paper after the oral evidence had been concluded. The director-general of the department held contagionist opinions, opposed to those of Dr. Burrell. When I had taken the oral examinations I was told that was all. I suggested to him that it was understood, or thought, that Dr. Burrell had furnished a special

paper. "No," he replied, "there was no such paper. I had the whole of the matter." I could not contradict the director-general; but did what I could do, by immediately drafting a letter to the commander-in-chief, asking for Dr. Burrell's report. This went from the General Board of Health to the Duke of Wellington, who at once gave the order, which even the director-general dared not question; and Dr. Burrell's paper was supplied, and appended to the General Board's report.

This head of the Army Medical Department it was who, on the outbreak of the Crimean War, violated the settled rule of the service by sending for Dr. Hall, from India, to take charge of the army at Scutari, over the head of the senior European officer at Malta, Dr. Burrell, who heard of the implied slight and injustice just in time to retire, having earned the right to do so. The next day he could not have taken the step, as the order to join the army would have arrived, therefore no time for consideration even was possible. He had made every preparation, bought horses, etc., but being unable to prognosticate the confusion, ignorance, and suffering which afterwards arose, entirely owing to the spleen of the director-

general (who would not allow him, prior to Dr. Hall joining, to go forward with the army), Dr. Burrell did retire. When he heard of the disasters consequent upon this stupid piece of official spite, the matter preyed much upon Dr. Burrell's mind. Though able to render efficient service, subsequently, on the Barrack and Hospital Commission, appointed by Lord Herbert, there was a grief which, if it did not break his heart, materially shortened his life. Had things happened as they ought, Dr. Burrell would have been the successor of the director-general, upon the retirement of that officer on £1200 a year, the recompense for practically destroying thousands of soldiers !

During his three years' residence as principal medical officer at Malta, Dr. Burrell forwarded to the General Board of Health an exhaustive examination of the records of the plague of 1813 in that island, which I saw through the press for him, published as Appendix V. to the second report on quarantine.

An alarming marsh fever having broken out at Croydon in 1853, the credit of the Board of Health being impugned, I was deputed to visit every house in which a death from fever had occurred, and tabulated the result of my in-

quiry, which appeared in the Blue Book, on the subject, showing clearly that the drainage works, which were blamed, had been carried out in scarcely one spot where the disease prevailed.

## CHAPTER VIII.

## OFFICIAL JOBBERY.

DR. SOUTHWOOD SMITH, as before stated, had been brought back as member of the General Board of Health, under the Metropolitan Interments Act, 1850, which was repealed by the Burials Act, 1852, except the section authorizing such fourth member.

In 1854, however, the Board altogether expired: and was not renewed, in obedience to the strong opposition of the civil engineers who hated Mr. Chadwick for encouraging engineering at moderate cost. Mr. Chadwick nevertheless secured £1000 a year pension, whilst Dr. S. Smith, who had sacrificed his profession to take office, got £300 only, which was wrung out of the secretary to the Treasury in the Commons lobby, after a fortnight's agitation, he assuring Lord Robert Grosvenor, afterwards Lord Ebury, that the Government



was well disposed towards Dr. Southwood Smith, who might therefore reasonably anticipate re-appointment.

The champion of the engineers, in the House, was Sir Benjamin Hall, afterwards Lord Llanover. An Act was passed for one year establishing the General Board of Health with a parliamentary president (Sir B. Hall) and secretary, like the then Poor Law Board; but no medical officer was considered necessary for a mere sanitary board, as was the case, indeed, under the Public Health Act, without the Nuisances and Interments Acts. If this was not so, the case was still worse, a mere trick for the purpose of quietly shelving Dr. Southwood Smith. Curiously enough, the medical officer of the city, at £800 a year, was Sir B. Hall's personal medical adviser, and oddly, it may be, enough, I and others at once saw that functionary daily walking into the Board of Health office for half an hour or so.

The following session a Bill was introduced to continue the Board for another year, and, *mirabile dictu*, with a medical officer! Before the Bill passed, Sir B. Hall became First Commissioner of Works, and was succeeded by Mr. Cowper, afterwards Lord Mount Temple,

who, by all the rules of office, therefore had the patronage. He wrote asking Lord Shaftesbury which was the best of three he named for medical officer—neither of them the city officer; but, without waiting an answer, Mr. Cowper had swallowed that gentleman, thrust down his throat by the stronger will of “Big Ben,” as having earned, and been promised, the appointment.\* And I venture to say, that no innocent display of ministerial weakness was ever more disastrous to a nation, than was that step.

The good feeling of the secretary to the Treasury, towards Dr. Southwood Smith, was now displayed by the announcement in Parliament that a first-rate man could not be had for less than £1500 a year as medical officer; whereas Dr. S. Smith, as member of the former Board, received £1200 only.

Three years later it was found that, with the active members, having their heart in the work, the use of the General Board of Health had altogether departed; and the sanitary

\* In 1871 Mr. Cowper Temple wrote as follows :—“It is quite true, as you suppose, that when I undertook the office of president of the Board of Health, I found that Sir B. Hall had decided that Mr. — was the fittest person to fill the vacancy then existing.”

works superintendence was transferred to the Home Office by the Local Government Act, 1858. Our *honourable* friend, however, was then astute enough to persuade the Government that it was necessary to provide for the powers of the Board of Health under the Nuisances Act (which had not, and have not, been put in operation since 1850); and so the Public Health Act, 1858, provided that the medical officer of the Board should be transferred to the Privy Council, with a salary of £1500. By subsequent Acts considerable patronage was conferred upon this new-fangled medical officer with nothing to do, to appoint inspectors, etc. He then took up the necessity of enforcing vaccination upon the people (as some excuse for his salary), persuaded Mr. Lowe (afterwards Lord Sherbrooke) to turn his £1500, by statute, into £2000 by favour; and finally, after fixing a medical department of a dozen officers, with £8000 a year, and giving grants and public money to brother professionals all over the country, for nothing else than keeping the people in a perpetual state of disease panic; frightening the entire community over "contagium germs" (*micrococci*, which all must believe in, though no microscope can discover), "malignant inten-

tions" of epidemics, with other high-sounding nonsense; and reintroducing quarantine all the world over,—even against disease in respect of which it had never been used in former times,—he retired on his laurels with £1150 a year pension.

It is altogether beyond the function of Government to prescribe or enforce nostrums, much less to raise popular disease panics; but it is obvious that, while panic-mongering perpetually produces its thousands to a State medical department and their myrmidons, so long will panic-mongering prevail.\*

Dr. Southwood Smith, "the father of sanitary reform," has, on the other hand, earned a position in the National Portrait Gallery, while his works, on Fever, "Philosophy of Health," Cholera and Quarantine reports, the "Common Nature of Epidemics," etc., will be read with veneration for ages.

He died, and was buried in the cemetery, at Florence, December, 1861; aged seventy-

\* A mild outbreak of cholera amidst the filth of Southern Europe, during the heats of summer 1884, has enabled Dr. Dilke & Co., unlimited, to procure a new Act of Parliament, and to obtain the Treasury sanction for six more inspectors, under pretence of preventing "contagium germs" from invading our shores!

three; great as a theologian; as a physician greater; greatest of philanthropists.

A small collection of some of these sanitary writings, bearing the last-named title, was edited by me in 1866.

A somewhat over-zealous admirer of Dr. Southwood Smith started a private testimonial to the good doctor after he left office, but without following up his proposal by efficient work. Sir John Easthope took up the matter warmly, and I did all I could to assist. First I went to Mr. Charles Morison, who offered £10 as his contribution. I could not be satisfied therewith, but pleaded for £50, and left him, taking with me a cheque for that amount. The wealthy Earl of Ellesmere I tried in the same way, but failed to obtain more than £10 10s. from him. Lord Palmerston cordially joined with £21, and so on.\* I obtained two-thirds of

\* Among the subscribers was the Bishop of Ripon, Dr. Longley, afterwards Archbishop of Canterbury, who received me in a manner most fascinating. *Apropos* of this, when one day travelling near Ascot after he had become Primate, my chance companion was somewhat after the cut of a retired tradesman, attired in a loose-fitting, old-fashioned black suit. In conversation the Archbishop was mentioned (probably in connection with his Colenso correspondence), when the old gentleman remarked that it had been said of Dr. Longley that he had the sweetest smile ever seen in any

the sum subscribed, and was pronounced "a capital beggar" by Sir John.

It has frequently amused me to observe the wide contrast between the true and the mushroom aristocrat. The first always accessible, gentlemanly, and affable; the other jealously guarded by flunkies, haughty, snobbish, and unbending. I have been to Lord Palmerston at Cambridge House, as a stranger, admitted immediately to the Premier, courteously listened to, and treated with cordiality; whereas a *quondam* thorough Radical, second-descent baronet, promoted to "cabinet rank," has kept me at arm's length for twelve hours in the endeavour to gain a five-minutes' interview on public business, accorded at length, "if introduced by a member of Parliament,"—which, however, a score being ready, mattered little.

On the passing of the Interments Act, 1850, it was suggested by the Treasury, the great guardians of the public purse, that, as there would be so much additional work, a second assistant-secretary to the General Board would

one, in which I thoroughly agreed (though the idea flashed across my mind, What can *you* know about bishops?). A few weeks after, this gentleman was pointed out to me as the great Dr. Pusey!

be requisite. Why this zeal? It happened that the then assistant-secretary (the highest permanent officer) to the Treasury, had a brother-in-law just at that time looking out for something to do. He was the younger brother of a peer, and a barrister, who had been out as attorney-general in one of our colonies; but the climate did not suit him, and he returned home. He accordingly was appointed assistant-secretary to the Board of Health, with £500 a year. But had his brother-in-law been less anxious for this new appointment, it would speedily have been found unnecessary. The new Act would not work, inasmuch as the chancellor of the Exchequer declined to advance the capital requisite to start so vast an undertaking as the burial of all persons dying in the metropolis at a cemetery below Erith; therefore the Act was perforce repealed, leaving the work to local Burial Boards.

What, then, was to be done with this *brother-in-law*? Turn him out in the cold? Not to be thought of. The secretary to the Board was in preference induced to accept the post of chief engineer at £800, in lieu of £600; and our new assistant-secretary was at once promoted to secretary, somewhat to the disgust of Tom

Taylor probably, who had a year's seniority over him as legal assistant-secretary. Within a year or two, however, the secretaryship to the Audit Office fell vacant, and seeing that of course no subordinate there understood figures sufficiently to fill the post, also that the salary there was £1000, it seemed not inexpedient for the public service to promote this deserving relative,—when Tom Taylor undertook the labours of secretary to the General Board, even without any assistant.

Not very long elapsed before one of the commissioners of audit died, or retired. Then, of course, the secretary became commissioner, for are not the next senior officers always promoted on vacancies occurring above them? This post of commissioner had not been held more than a year or so before the constitution of the Audit Office was changed. An auditor and comptroller-general superseded the three commissioners, who retired on full salary each for life!\*

Tom Taylor survived the breaking up of the General Board in 1854, having his salary under Sir B. Hall raised from £600 to £1000, which did not again diminish when, by the

\* See p. 190. "The Insidious 'Red-Tape' System."



Local Government Act, 1858, the business was transferred to the Home Office. Some years later, when the Local Government Board took over the sanitary work, he retired on a professional scale pension of £610, after which he became editor of *Punch*, art critic for the *Times*, etc. He had not done badly by official life. He wrote, in a perfunctory manner, what were called "legal opinions," it is true, which were duly entered in a book. On one occasion a question having been forwarded for the Board's advice, the usual order was given—"Get the legal opinion book." "Which am I to take?" said the clerk; "there are three on one side, and two on the other." "Oh, take the one which has been used most," was the reply; and that served the purpose as well as anything else!

Tom Taylor had, indeed, other fish to fry. He was London correspondent to a northern newspaper; a regular contributor to *Punch*—to whose office a Board messenger went weekly for the five-guinea cheque; he wrote farces and plays without number; whilst the life of Haydon, and of Sir Joshua Reynolds, etc., qualified him for art critic subsequently. His brother, too, he made engineering inspector at £800 a year.

The Burials (Metropolis) Act, 1852, was followed by the Burials (beyond the Metropolis) Act, 1853. Inspectors were immediately appointed, by Lord Palmerston, to do the work out of hand. Seeing there was much to be done in the way of procuring information, I volunteered to aid the inspectors (medical men), who gladly availed themselves of the proffered assistance; and I used to remain after the office was closed, sometimes till eight or nine o'clock. After a few months, a request was made, by these gentlemen, that I should be properly appointed and paid for this extra duty. Our friend the Treasury assistant-secretary walked over to talk with his brother-in-law, and thereupon vouchsafed the Treasury sanction to the payment of £50 a year.

One member of the Board, the most amiable of men, was literally angry on hearing that, knowing nothing of the matter, and without consulting the Board, their secretary should have taken upon himself to recommend so miserable a recompense. A letter was written to Lord Palmerston, who inquired what were my duties at the Board; the reply being that I had the drafting of all the correspondence; whereupon the Secretary of State recommended that £100

should be allowed extra instead of £50. But was not the said assistant-secretary the pattern guardian of the public purse, and what could Lord Palmerston do against him? So his lordship was refused, and I had to put up with the sum named.

The General Board, as has been said, came to an end in the autumn of 1854. I had been called to the bar by the Hon. Society of the Inner Temple in the spring of that year. Sir Benjamin Hall must have all the office room at 8, Richmond Terrace, and get rid of the inspectors of burial grounds, who were under the Home Office. These gentlemen, therefore, were provided with quarters in Old Palace Yard, and, on their application, I accompanied them; being assured, voluntarily by them, that I should be free to practise my profession also. What is termed "chamber practice," viz. writing opinions, was certainly carried on to a considerable extent in some public offices; but on an opinion which I had written falling under the notice of Sir George Grey, who succeeded Lord Palmerston at the Home Office, I was desired to refrain from answering legal questions in future, lest any such might be thought to bind the Home Office.

"At least," thought I, "if I accede to this I cannot but be honourably treated in the future." This afterwards turned out, as will be seen, a vain delusion.

I published in 1855 "The Laws relating to Burials." In 1857 a second edition was called for; in 1863 a third; in 1873 a fourth; and in 1882 a fifth edition.

Meantime, during these official occurrences, some other notable events in my life took place. On the death of the lunatic friend we removed to Kensington, mainly to secure a daily walk to and fro through the several parks to Westminster. The great Exhibition, 1851, was held in the Crystal Palace, Hyde Park. Our eldest children had been born; and in 1852 my father died.

Whilst at Kensington I had a small organ built in my house, after my own fancy, with nine stops—four in a full swell,—two rows of keys, and pedals; and during two separate years I fulfilled the duties of an organist—one year in the East, and the other in the West of London. I also made a small collection of Psalmody, aided by the judgment of my old friend Gardner, who contributed about seventeen of his own (all

marked with an asterisk), and one such (called "Ilminster") was my own only attempt at musical composition.\*

One piece of service I rendered to the Kensingtonian public. My daily path into the gardens by the side of the Palace was through a passage from Church Street, between the vicarage and the church. One day I saw this entrance boarded up, and found on inquiry that barracks were to be erected there, the whole of the ground being taken in and built upon. I at once called on the Archdeacon, Sinclair, and informed him of the plan, whereby this right of way would be taken from the public; whereupon he wrote or posted off to the member for the county, Lord Robert Grosvenor, who interceded with the powers that were, and the path was not only left undisturbed, but improved; and so remains until this day, as witnessed by me very many years later, on going to inspect the new church.

\* See page 447.

## CHAPTER IX.

THE ILMINSTER SCHOOL CONTEST—FOUNDATION  
OF NATIONAL EDUCATION IN ENGLAND.

I WAS educated, as previously said, at the grammar school of my native town, Ilminster. This charity was founded in April, 1548, when, curiously enough, there was nothing on the Statute Book of England in reference to religion, for all such Acts had been repealed the year before, and the first new enactment of the period on the subject was passed in 1549. The trustees were to be "honest men of the parish," and the children were to be taught "all godly learning and knowledge, as well as other manner of learning." The surplus income, if any, to be applied to the maintenance of the highways and bridges of the parish.

My father had, through life, taken great interest in the management of the charity. There was (1) the grammar school ; (2) a com-

mercial school, to which one hundred farmers' sons, etc., were admitted free; (3) Two evening dame schools for the poor; (4) No highway rate had been made within living memory, and the streets were well paved.

There had never been any suspicion of religious disputes, and all sects had participated in the management as far back (153 years) as the records extended, when, in 1857, the trustees having been reduced by death to five, three of whom were Dissenters, fifteen persons were nominated, twelve of whom were Churchmen, by the survivors, as directed in the trust deed, to make up the number of twenty.

A certain solicitor, not finding himself among those nominated (he *was* afterwards, for the sake of peace, but to no purpose), persuaded the vicar, a very old man, to object that Dissenters were not eligible to be trustees. The Master of the Rolls' clerk pooh-poohed the objection, but it being pressed, the matter was adjourned to be settled in Court. Before it came on, the vicar died, but his widow was induced to believe it to be her duty to guarantee costs. Sir John Romilly decided that, following the Hewley case, the school was to be held a Church school; but, as the repair of highways

and bridges was not a religious object, the three Dissenters might remain. The solicitor at once gave notice of appeal, and, seeing the widow considered she had done enough, he persuaded three or four persons to step forward as guarantors on behalf of the *new vicar*.

Now, the trustees, fearing loss to the charity, desired not to litigate the matter, but let it take its course ; and the attorney-general was not served as he ought to have been, to represent the public. I felt indignant at all this. Independently of personal feeling, considerations of filial regard impelled me to come forward in defence of liberty of conscience, as opposed to theological intolerance. My father had for half a century taken a leading, almost paternal, part in the management of the charity, so that mainly by his exertions the endowment had been applied in a manner which might afford a model for such institutions. He would turn in his grave ! And I resolved that, if I could prevent it, such wrong should not be done.

A member of the bar, resident in London, yet a ratepayer of Ilminster, I determined to do what I could to represent my fellow rate-payers ; and petitioned the Lords Justices for leave to appeal on their behalf against the



*dictum* that the school was "a Church of England school."

When the case came on, Mr. Roundell Palmer (afterwards Lord Chancellor Selborne), who led on the other side, to oppose the three Dissenters, being absent, Mr. Baggallay (afterwards Lord Justice), having been heard, was asked, on my rising, "Do you object?" Somewhat puzzled, and a friend at my side calling out, "He's an appellant with ye," Mr. Baggallay answered, "No." Mr. Toller, on behalf of the trustees, also replied, "No" (for, though they would not admit me with them, doing all they could to keep me quiet, yet the sympathies of the trustees were of course identical with mine). "Then," said Lord Justices Knight Bruce and Turner, "we'll hear you." They paid little attention to the matter, however, intimating that the time of the Court was too valuable to be wasted over a Dissenters' squabble in an obscure parish; and decided that the three names should be struck out, "they not being members of the Church of England."

Being thus let in to the case, I appealed to the House of Lords. But, at the same time, I applied to Mr. Massey, M.P., afterwards finance minister for India, to bring in a Bill to declare

that persons should not be excluded from charitable trusts on account of their religious opinions.

Mr. Massey assented, but found himself forestalled by Mr. Dillwyn, who, at the instance of the Liberation Society, took the matter up as a new general Dissenters' grievance, and insisted on introducing a Bill declaring that Dissenters might be *masters* also of endowed schools. Not desiring this, but to "hit the blot," I tried Lord Stanley of Alderley, who introduced a short Bill in the Lords at the end of the session, 1858, which, being opposed by Lord Chancellor Chelmsford, was thrown out. I also formed a "School Trustees Committee," of some ninety good names—Mr. W. E. Foster being one, and the Earl of Carlisle, then Lord-Lieutenant of Ireland, President; and I went personally to numerous leading towns to lecture on the subject.

Being in office I could not spare much time; but by the help of express trains I could, and did, run down to Bath and back the same night, without losing a day. Bristol also, Exeter also, Sir John Bowring in the chair; Newbury, Leeds, Hull, Bradford, with other towns, heard the ring of my voice. One day I left Waterloo

Station for Southampton at 3 p.m.; after a dense meeting in the Town Hall, returned by mail train to London. Lying down an hour and a half at Kensington, I then left for Liverpool, where a crowded meeting was held, Sir William Brown in the chair. I went to Manchester next day, to a meeting in the Mayor's parlour; proceeded to Stockport in the evening, Mr. James Coppock presiding, and travelled up to London by the mail the same night; thus accomplishing four meetings, and about six hundred miles, with but two days' absence from burial business.

The result of these meetings was that, on concluding my rounds, I found that every M.P. was thoroughly instructed in the matter. Mr. Dillwyn, however, stood in the way. His Bill was referred to a select committee, on which Sir Hugh (afterwards Earl) Cairns, and Sir James Graham zealously served; and a Bill was produced with which I and my friends were satisfied. It was considered settled, therefore, when, four days before the prorogation, 1859, Mr. Dillwyn coolly withdrew the Bill, and we were *blocked* again.

I then went to Lord Cranworth, who, deciding that no member was entitled to be

considered after such practice, at once laid the same Bill on the table of the Lords, in order that he might take it up the following session, which he did.\*

In 1860, also, Sir Hugh Cairns reintroduced the identical Bill in the Commons; and Mr. Dillwyn, of course, brought forward his third impossible Bill.

I had consulted with many Peers—Dr. Tait, then Bishop of London, and subsequently Archbishop of Canterbury, among the rest. When the Bill came on in committee, Archbishop Sumner was put up by the then Earl of Derby, etc., to move the omission of all after the preamble, and to substitute a single clause, to the effect that the trustees of endowed schools *might* make such orders as would allow children to be taught in the school without the religious teaching prescribed by the founders. Earl Grey dexterously suggested that, being so nearly unanimous, the alteration of a word would effect the object—say *shall* instead of *might*—the Bishop of London (the bishops always sit on

\* During the struggle I had also submitted a Bill to Mr. Brand, then secretary to the Treasury (afterwards Speaker and Viscount Hampden), who put it into the hands of Mr. Mellor (afterwards Judge). The progress of events, however, made this unnecessary.

the Ministerial, then Liberal, side) nodded assent, and the Bill so passed through committee. Lord Cranworth sent for me next day. "Don't alter a word, or they'll throw out the Bill. They don't see what they've done. No trustee can in future be excluded, the actual fund being thrown open." The advice was taken. Subsequently in the Commons the three Bills came on the same night. Mr. Dillwyn's was thrown out; Sir Hugh Cairns withdrew his; whilst the Lords' Bill passed *nem. con.* Thus by the aid of the "chapter of accidents" was the most liberal measure of the age, perhaps, passed without a division in either House.

On leaving the House after the second reading, Mr. Lowe (afterwards Lord Sherbrooke), then, vice-president of the Council, said to me, "I am delighted at this; we can now make the same rule the condition of a grant to National Schools." This course accordingly was at once adopted. "The Conscience Clause," as it was called, which was identical with the Endowed Schools Act, 1860. 23 Vict. c. 11, was violently opposed by party bigots to no purpose; and thus was laid the foundation for the general Act for Education

in England, 1870; the principle conceded fully which W. J. Fox, Cobden, and others so long fought for in vain.

Later in the same session the Charity Commissioners had a Bill empowering them to appoint trustees to small charities. When this was in committee, I drew a short clause, providing that no person should be excluded on account of his religious opinions. Going into the lobby\* and seeing Sir George Cornewall Lewis, then Home Secretary, about to enter the House, I accosted him, saying that it was important to get this clause inserted in the Bill at that moment before the House. He looked at it, walked straight to the table, and handed it in. It was added to the Bill, 23 & 24 Vict. c. 136, s. 4.

Meantime the Appeal case, "Baker and Lee," came on to be heard. Lord Brougham, who had shown great interest in the proceedings, happened to be called away at the moment to

\* The lobby was then open to all comers; and not, as it afterwards became under Captain Gossett's management, kept for members alone, who may enter by three or four ways; while persons desiring to see them on business are kept in the central hall, wasting time and temper, cards being sent down, often never delivered; but upon sending which it would be bad manners to go away.

Edinburgh, to be installed as Lord Rector, so that there were an even number of law lords present when the appeal came on—Lord Chancellor Campbell, Lords Cranworth, Chelmsford, and Wensleydale. Messrs. Roundell Palmer and Baggallay were opposed to me, and I argued the case alone. On an equal division the appeal was disallowed, the Chancellor and Lord Cranworth being with me. Had Lord Brougham been present, or had the appeal come straight from the Master of the Rolls, as it might have done, I should have succeeded. The usual rule on an equal division is to rehear the case, more peers being summoned; but Lord Campbell said that as legislation had recently taken place, making it impossible that any similar state of things could occur, he thought it unnecessary to occupy the time of the House about the three excluded persons at Ilminster. The vicar's solicitor therefore got his costs, but the three vacancies were never filled up, and several years after, the sole survivor of the three was specially selected by the schools commissioners, as the most suitable person to be added to the Board of Trustees.\*

\* See p. 159. Argument before the Lords.

I had taken the sole responsibility of this appeal upon myself, and did not ask for costs out of the estate. An indemnity and testimonial fund was raised, however, among friends in the places visited by me and elsewhere, and in the result the greater part of the purchase-money for my house was paid out of that fund, and a statement of the fact, signed by the trustees of the fund, was impressed on the back of the conveyance.\*

\* See page 174.



## CHAPTER X.

## RAILWAY AND ROAD EXPERIENCES.

FOR some considerable time I walked to and from the most convenient station to my residence, which is thirty-two miles from Waterloo. I had suffered no inconvenience from long railway journeys at any time; but, after several months of daily travelling this sixty-four miles, I became troubled by weariness and pain in the lumbar region. Whenever I sat down in the railway carriage the pain was felt. I thought I should be obliged to part with my residence and return to London. Arrived at the conviction that the shaking up in the train was the cause, I tried standing while travelling, and found so much relief, that I made the practice habitual, the result being that the evil gradually wore off, without any discontinuance of the travelling. The joints protected the spinal

column from the unnatural and violent vibration.

Sir Ranald Martin, physician to the Council of India, consulted me about that time, as to the reason that his patients were unable to bear railway travelling; and acquiesced in my explanation of the matter. I read a paper at the Society of Arts\* rooms, on this subject, impressing upon the managers of railways the necessity of better providing against the shaking of their travellers; and in proof that it was quite possible to do so by better hanging of the carriages, I had eight spiral sofa springs, each bearing a pressure of twenty-five pounds, fastened between two thin boards, which were then tied down four inches apart, covered with carpet, stuffed, and fitted with side handles, for sitting on while travelling. My weight was about one hundred and forty pounds, and as the boards occasionally would touch each other when the train was at speed, this proved that the jolt was equal to a pressure of sixty pounds. When it is considered that all natural labour is done by the limbs, the trunk being steady, it becomes apparent that such violent shaking, like a physic bottle "when taken," must be exceedingly detrimental.

\* See page 230. "Railway Management."

Another annoyance on the railway was the smoking nuisance, both in the carriages and in the station rooms. I was so repeatedly complaining of this as to render myself publicly obnoxious. The guards and other officials winked at the practice, so that no one who did not smoke could be safe from discomfort. For no smoker understands manners. He cannot understand that to ask another in a public carriage whether he objects to smoke, is in itself exceedingly ill bred; for it may inflict the disagreeable alternative upon the person asked, either of enforcing privation on the smoker, or enduring annoyance himself. I repeatedly wrote to the authorities, but to little purpose, until I ventured to rate the directors for not providing separate accommodation for smokers. This provoked the assertion that if smoking carriages were provided, there would often be great difficulty in making up the trains, because they could not make sure of having one at hand; and once put on, they would always be expected. My immediate reply was, "*If one compartment in each carriage were set apart for smokers, you could not make up a train without the accommodation.*" That settled the dispute. The company adopted smoking compartments

forthwith, and every other line soon followed the example.

After some months had passed I found it more agreeable to drive to the station, but sometimes rode on horseback, making use of the green slopes on the roadsides. Once, however, I nearly got my neck broken from the horse stepping into one of those insidious trenches, with grass grown over it, cut by stupid surveyors in the turf at a right angle to the road, under the foolish notion that the general surface of the road is drained thereby. I fell on the top of my head, and was for a moment stunned. A young man was killed not long after from the same mischief very near my house. The wheel of the fly he was driving got into the trench in passing a wagon, when over he went with a heavy trunk across his leg. Country bumpkins, calling themselves surveyors, cannot be brought to understand that, as water will not run uphill, when it gets on the green slope it will find its way over the grass to the ditch, and not up on the road again.

My attention was called about this time, by the daughter of a celebrated veterinary surgeon, Mr. Clarke, to the manifold injuries suffered by horses from their being shod. I ventured to

try riding and driving horses without shoes with perfect success. The sensation, and consequent care shown by the animal feeling its way on a hard road, is not pain.

An old mare, in a small carriage, ran away with me seven times in one day. Being very long reached behind, it was found—on the contest ending by the breakage of a strap—that the circular iron in front, had touched her hocks on an incline, where a dog ran out to bark. Driving round a circuit, every time this point was reached, off she was again. At the end the hocks were slightly marked, but her hoofs were perfectly sound and uninjured. More to satisfy popular prejudice than from any real necessity, I thought it best to have narrow toe-pieces, half round and flush with the sole, let in and fixed with four nails, leaving the sole and frog to grow and exfoliate at its own time. Nineteen-twentieths of all lameness in horses arises probably from cutting, nailing, heating, and chilling the hoofs.

## CHAPTER XI.

## LEGISLATIVE TACTICS, AND SOLDIERING.

THE Endowed Schools Act was not my first experience of dabbling with legislation. In August, 1857, an intimation reached me at the Burials Office that obstructives were taking exception to some of the past proceedings for establishing the Burial Board at Bristol ; and it was supposed that the rate would be disputed on the ground of an alleged informality in such proceedings. I saw at once that, if this attempt were successful, the door would be opened for litigation in numberless similar cases ; and that the want of a limit of time within which objection could be taken in matters of form, was a serious defect in the new burial legislation. The 20 & 21 Vict. c. 81, had passed the Commons, and was that very day fixed for Committee in the Lords. Could not a clause be got in to stop this gap ? I drew a clause at once, and posted

off to see Mr. Massey, then Under-Secretary at the Home Office. "Quite too late." I pleaded for making the attempt. Well, he would write a note to Mr. Coulson, the Parliamentary counsel, which I took down to that gentleman in Queen's Gate. "Oh, absurd! The Bill was in Committee to-night; nothing can be done." However, I persuaded, coaxed, and urged that Mr. Massey had authorized the attempt. Unwillingly and slowly the pen was taken, and my clause remodelled to suit his fancy, whilst I looked over Coulson's shoulder; and, having thus wrung it from him, I lost no time in again reaching the Home Office, just before Mr. Massey was off to the House. Well, he would send this down to Lord Granville, who had charge of the Bill, but there was little chance, etc. "No; give it to me, I will take it to the House." (No dead-alive gentleman messenger for me.) On reaching the Lords' lobby, I fastened on some member of the Commons (Mr. Dillwyn, if I recollect rightly) going in to the bar, and got him to take me with him; handed my O.H.M.S. *immediate* packet to a doorkeeper inside, who took it to Lord Granville, at that moment on his legs with the very Bill in his hand. He opened, read, and, appre-

ciating in an instant, handed in the new clause with the rest (section 27), and the thing was DONE. Then came the fun. I stood at the bar watching the success of my efforts, when up bounced the doorkeeper, angry and majestic, demanding to know what I did there. To have seen a *quasi* messenger deliver a packet and not go away at once, was more than his dignity could swallow. He would report me, and so he did ; the result being that Black Rod, Sir Augustus Clifford, with all his portentous size and official importance, bawled at me for full five minutes, loud enough, as I thought, to disturb the occupant of the woosack ; and I was to consider myself very well off not to be committed to prison instanter. At this bombast I laughed in my sleeve (had I deemed it worth while at tempting to explain matters I should not have been listened to by a magnate in a towering passion), well pleased to be able in thought to crow over Coulson and Massey ; to have defeated the Bristolian litigant ; and saved a good proportion of the Burial Boards from destruction.

In 1859, what Lord Palmerston denominated the "Rifle Corps Fever" broke out, as one consequence, perhaps, of some swaggering on



the part of a few French colonels, that London could be easily taken in case of war. I joined the Inns of Court Corps ("the Devil's Own"), about the fortieth man on the list, and was very attentive to drill, etc., for a twelvemonth, being on parade from eight till ten most mornings, either at Lincoln's Inn, Gray's Inn, or the Temple. On going through the "extension motions," I asked the Guards sergeant instructor whether he could do this, *striking the backs of my hands together behind in nearly a horizontal position whilst standing upright*. "No," said he, "nor any man in the Guards, or the army."

A little short-sighted, I had a pair of spectacles for target practice. My second shot struck the bull's-eye. That I was but a novice was shown by my missing the next altogether. I had forgotten to look for the back-sight. The volunteer review in Hyde Park, June, 1860, was my last attendance in the ranks, as we moved into the country in July.

Striking the backs of the hands, as described, is perhaps only worthy of note in conjunction with a declaration of Dr. Rennie, principal medical officer in the China expedition, who professed to have paid particular attention to

the diseases of warm climates (which he mainly ascribed to over-eating, smoking, etc.), and especially to hypertrophy, or over-action of the lungs. After giving evidence before the Royal Commission, next about to be noticed, and being informed as to my simple habits, Dr. Rennie asked to be permitted to place his ear to my chest; when, after several ejaculations of surprise, he concluded, "You are the only man I ever met with having perfectly free lungs."

As to straight shooting, that probably depends more on steadiness of nerve than aught else. I was once presiding at a public meeting where diet with regard to strength was discussed, when I took occasion to say that there were two kinds of strength—muscular, often depending on use, leverage, etc.; and nervous strength,\* shown by steadiness, and the ability to maintain for a lengthened period any action within the natural muscular power. As an exhibition of the latter, I filled a tumbler of water to the brim, and held it out at arm's length whilst addressing the meeting, without spilling a drop, observing that many younger men (I was then about sixty) are not able to

\* See p. 40.

carry a bumper steadily to the lips, whilst others cannot speak in public without trembling. I have done the same more than once since before an audience.\*

\* In my sixty-third year, I, for the first time, mounted a bicycle, and soon rode over thirty miles at a stretch, returning a few days after.

## CHAPTER XII.

ROYAL COMMISSION—SANITARY STATE OF THE  
ARMY IN INDIA.

IT was in 1859 that Lord Herbert of Lea procured the appointment of a Royal Commission on the sanitary state of the army in India, the presidency of which, after a few sittings, he handed over to Lord Stanley (afterwards fifteenth Earl of Derby), and to which I was appointed secretary.

The commissioners besides the president were Generals E. H. Greathed and H. M. Durand, Sir Proby Cautley, Sir Ranald Martin, Drs. J. Sutherland and W. Farr. This inquiry, which was concluded in 1863, offered me an opportunity of testing a plan which I had several years previously ventured to recommend to Mr. Disraeli, when chancellor of the Exchequer, in regard to the printing and circulation of blue books. Soon after the oral evidence began to

be taken, I suggested, to the satisfaction of Lord Stanley, that I would make a précis of that which had been, and which should be, produced from time to time, as printed, so as to aid the members in the preparation of their report. This I accordingly did, and on the conclusion, when the report was in progress, I further suggested that my précis of the evidence, in lieu of the voluminous matter in full, should be presented to Parliament with the report, in an octavo form, the two folios of a thousand pages each being only printed for official use in India and elsewhere. This course having been decided upon (General Greathed had spoken of this précis as the best thing he had ever seen in his life), I had to manage the by no means easy task of carrying out the arrangement, in the face of Stationery Office opposition, and Treasury obstruction. In the first place I was assured that the members of the House of Lords insisted on having everything presented to the Queen, also presented to them, *i.e.* to each of them individually. "Then we will present the report and précis of evidence *only* to the Queen." But the précis had been set up in type in the folio form, and the economical Treasury were aghast at the idea of authorizing

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the over-running (*i.e.* making up into a smaller sized page) of type already set up. I was obliged to learn from the printer, 1, what this amazing cost of over-running would be; and, 2, the difference in cost of paper between the striking off in octavo the number to be issued, and the same number in two folio volumes. The first was £10; the second, or saving, was over £1000. After much personal explanation at the Treasury, in the endeavour to make such amateur gentlemen understand so much of the mystery of the printer's art, I at length succeeded in obtaining the sanction requisite. Had I relied on correspondence this certainly never would have been obtained.

The report and *précis*, then, was presented in octavo, very much to the delight of Mr. Vardon, the usually exceedingly grave librarian of the House of Commons (who enthusiastically maintained that all blue books ought to be treated in the same way), and to the satisfaction of Mr. Speaker Lefevre also. The Treasury were subsequently asked what had been the comparative saving in paper. On the report of the controller of the Stationery Office, Mr. McCulloch, the reply was £1350. In order, however, to prevent any unwholesome appetite

for economy making this example into a precedent, he stated most gratuitously, without any reference to the commissioners or to myself, what was entirely contrary to the fact, that from circumstances peculiar to the nature of the inquiry, the plan had been available in this instance, but would not be possible in regard to blue books in general. And so we have gone on ever since just as before, turning out annually masses of paper under the name of blue books, which are never read, for the sole benefit of the printer, the paper-maker, the butler, and the buttermilk.

It was not the mere printing of vast piles of useless paper that had from time to time forced itself upon my attention in official life; but I had frequently witnessed the extravagance and waste of public money brought about by the carelessness or fastidiousness of public servants in sending incomplete or ill-considered manuscripts to be printed, involving endless additions and corrections before final settlement. The printing of the yellow fever report opened my eyes to the system, and the various processes of the printing office; and I at that time learned how greatly the liberty of correction was sometimes abused; the contract was taken by the

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printers for printing, and often taken at an apparent loss, but there was no check upon corrections ; these must be charged and allowed from time to time according to the trouble given. And these corrections were often so extensive that it would be easier for the printer to distribute the whole of the type and entirely reset the matter, than to pull it to pieces and make the required alterations. Now, whatever the nominal contract price for printing, all corrections secured a profit. I have known one book set up in this manner no less than forty-two times, *i.e.* forty-one profits—and no doubt handsome profits—to set against one nominal loss.

In settling the printed evidence for the Indian Commission, I again saw how impossible it was to prevent waste of this kind without more stringent regulations from the Treasury. Witnesses would bring the print of their evidence, again and again, for the most trivial alterations, in entire ignorance of the expense involved; and while the Stationery Office experts were sufficiently ignorant of their business, it was useless for a secretary to make himself obnoxious or disobliging towards the gentlemen for whom he acted.

I had more than once endeavoured to



impress upon the authorities that, besides the cutting down of documents, if they were to be useful to the legislature, rules should be enforced whereby any writer, printing at the public expense, should be entitled to one revision only, before the work, whatever it was, should be sent for *press*, when any final corrections might be made. That a mark was set against my name by the acting authorities I think was pretty evident from an instance of petty spite to be explained hereafter, when I learned that an alteration had been made (in consequence, probably, of my remarks), whereby the printer was to be allowed 25 per cent. for corrections on all documents beyond the contract price, and no more.\*

\* See p. 142.

## CHAPTER XIII.

## OFFICIAL EXTRAVAGANCE.

IT was not alone on such matters as printing contracts that official abuses had fallen under my notice. I pass such small matters as fanciful or superfluous furniture of rooms, and Stationery Office supplies of various kinds found for, but which, if necessary, ought to be purchased by, the officials themselves, when it would often be seen how much could be dispensed with.

For eight years while resident at Kensington it was my habit to perambulate the four parks daily, passing to and from Westminster. How often, before the Crimean War, have I sighed over the presumed poverty of this great country in not being able to provide funds for placing the public parks in a commonly decent condition. Rotten posts and rails lined the walks in all directions, barely sufficing to fence in cattle, and altogether inadequate to keep incon-

siderate pedestrians from injuring the grass. Year after year, while salaries slowly went up, or new duties forced upon the Government by Parliament must be paid for, there was nothing to spare for outlay upon parks and pleasure grounds, royal though they be. But the war came, and up went the estimates twenty millions by universal acclaim. When, after two or three years, peace returned, *then* came the civil service departmental opportunity. In view of so large a reduction, and remission of taxation, every claim could be entertained if only it could be called reasonable. A considerable increase was thus able to be made for some very manifest improvements in the parks, such as cleansing and making shallow with asphalte bottom the several ornamental pieces of water, both to promote health and prevent drowning, etc. The traditions of the service appear, however, to be such that the amount of any civil departmental vote is seldom reduced to any great extent. That a vote does not exceed what was taken the previous year, or is a trifle less, is quite enough to satisfy the most rigid economist in the House of Commons. If, therefore, works are not pressingly requisite, salaries may be increased; and when necessary improvements

come to an end, æstheticism offers ample means of spending money. Hence we now have all the public parks finished and laid out in a style of right royal magnificence, and from them even surplus plants are graciously distributed to the people, whilst "Rotten Rows" are extended in all directions for aristocratic equestrians. Upon the just, nevertheless, the question forces itself—whether, if all this annually kept-up expenditure is requisite for the delectation of the aristocracy, or even for the Londoner, ought not the aristocrat to subscribe, and the inhabitant of London to be rated, to maintain such royal expenditure, instead of the charges being forced out of the general taxpayers from the Land's End to John o' Groat's?

The enormous general increase of official salaries cannot be better illustrated than by a comparison between the sums paid to those in the leading and controlling department (the Treasury) itself, formerly, and at present (1884). The permanent assistant-secretary in my day—an active enthusiast—had £1500 a year,\* at a

\* He afterwards became Governor of Madras, and was superseded for insubordination towards the Governor-General of India; but allowed to retire on a pension of £2150, or thereabouts.

time when the War Department was practically under the Treasury. His present successor receives £2500, whilst we have permanently established a separate Secretary of State for War, with a huge staff, to regulate our army on a peace footing. Having so much is probably the reason why he has—what his predecessor had not—an assistant under-secretary to help him, at £1350. The civil list auditor had £1200; he now has £1500. The four head clerks had £1000 each; they now get £1200—*i.e.* the successors. The counsel for drawing Parliamentary Bills formerly received £2000 a year; his successor has £3000, and his assistant £2000, instead of £500, about.

Pensioning, too, goes on much in the same way. Soon after a change of Government (in 1866, I think), I went to the Treasury to make an inquiry, asking for Mr. A. “Mr. A.’s gone, sir—retired to enjoy himself at his ease.” “Indeed, then I’ll see Mr. B.” “Mr. B.’s gone, sir.” “Well, is Mr. C. in?” “Mr. C.’s gone, sir.” And then I gave it up. Here were three men, all, I believe, my juniors—and I do not consider myself superannuated near twenty years later—pensioned on two-thirds salary, making things pleasant all round, simply on a

change of Government. The Ministers going out were willing to oblige these idlers. The next below them secured promotion. Lower down vacancies were created for friends of the new Ministry, and the taxpayers must pay the piper.

## CHAPTER XIV.

## LABOURS OUT OF OFFICE.

My appointment to the Burials Office was sanctioned from year to year. When the work was practically done (*i.e.* closing crowded graveyards in towns, and providing suburban cemeteries in lieu thereof), although I had performed good service for many years in various ways, for comparatively small remuneration, whilst debarred from practising in a feasible way my profession, it was exceedingly against the grain either to be asking for re-employment, or to be holding an office which had become unnecessary. Yet, had I resigned, some one else would have been appointed. Under these circumstances I quietly remained without stirring in the matter of the previously annual recurring sanction, for a year or so, until, when the settlement for the Indian Sanitary Commission came on, I contrived to direct

attention to the fact that I had not sought re-appointment to the Burial Department. Then, in 1864, in a complimentary letter from Sir George Grey, it was intimated that the office would be discontinued.

Not to be idle, I at once set about a complete digest of “The Laws relating to Public Health : Sanitary, Medical, Protective,” which Dr. Farr denominated a “sanitary code;” and Tom Taylor recommended to the local authorities. Within ten years after its publication, all the most important statutes—there were fifty-eight in all—therein treated had been consolidated by new enactments. One day I had occasion to call on the Parliamentary counsel, and while waiting in his office saw my “Public Health Laws,” and took it up, to find it quite loose in its cover, and the pages annotated throughout. That volume had been well used, at any rate, in the work of destroying its sale by consolidation; and that knowledge was my chief reward for the labour.

During the same year I wrote a set of short easy papers for adult cottage reading, intended to be the first volume of a serial to embrace a wide field of classic literature, entitled “The Pikestaff Papers”—*as plain as a*



*pikestaff*—and in which was published (1866) my only attempt at story-writing, based on information obtained from the Indian Sanitary Inquiry.

About this time, too, I saw through the press, for a granddaughter of Dr. Southwood Smith, a revised posthumous edition of that author's celebrated work, "The Philosophy of Health," and also his "Divine Government," a copy of which the excellent Dean Stanley, at my request, undertook to lay before the Queen.

Soon afterwards, in the pages of the *Dietetic Reformer*, I published a compendious abridgment of Sylvester Graham's "Lectures on the Science of Human Life;" and my eldest daughter collected recipes for the preparation of vegetable foods, under the title of "The Vegetist's Dietary, and Manual of Vegetable Cookery," in accordance with the principles taught by Graham. Both these were republished by the Vegetarian Society of England, and went through several editions.

## CHAPTER XV.

## SALMON FISHERIES.

WITHIN a year after leaving the Burials Office, I received a note from the Hon. Mr. Baring (afterwards first Earl of Northbrook), then Under-Secretary, desiring me to call at the Home Office. Proceeding to town the same day, I was requested to take charge of the Salmon Fisheries Office at once. Sir George Grey would be obliged to me if I would go thither that very moment. I found this department in an utter state of confusion. There were two inspectors of salmon fisheries for England; and the same gentlemen, with a third in Edinburgh, commissioners of salmon fisheries for Scotland. The Act for England provided that the Secretary of State should divide the country into salmon fishery districts, under boards of conservators, for which business he had power to appoint inspectors for three

years. The commissioners of Scotland were empowered to make bye-laws for the several rivers, which, after publication in local papers and the *Gazette*, had the force of law. There are a large number of rivers in Scotland, and consequently a large collection of bye-laws—four for each river—had been issued, but all had been wrongly done. This mess had been discovered on the clerk to the commissioners, etc., who knew nothing of law, becoming laid up by illness.

I was then set about getting matters into a valid condition, before any public stir should be made over the blundering that had taken place. But more than this, I discovered that very serious fraud had been going on. The clerk had been getting receipts for advertisements in Scotch newspapers from the sheriff-clerks, whose duty it was to have these inserted, as their vouchers on claiming to be refunded; sending these receipts to the Treasury as his vouchers for the money; and when the sheriff-clerks sent him their receipts for such cash refunded to them, these were also forwarded as fresh vouchers to the Treasury, on which to claim a second payment for the same transaction. In this manner the Treasury had been

extensively robbed. The delinquent was ill, while the discoveries were being made he was getting worse, and before a prosecution could be directed he died; so the frauds never became public.

A committee was appointed to report upon the office management, etc. Mr. Baring, Mr. Bruce (afterwards Lord Aberdare), then Vice-President of the Council, and Mr. Arbuthnot of the Treasury (auditor of the Civil List) being the members; and I was appointed secretary to the inspectors—England, and commissioners—Scotland. After severe labour for a time (I sometimes did not leave the office before 11 p.m.), all the Scotch bye-laws were re-issued in a regular way, and the business got into proper train. The Lord Advocate, Mr. Moncrieff (afterwards Lord Justice Clerk), had been so much perplexed by these multitudinous bye-laws, that he proposed to have them enacted. But their length, if all set out, would have made a volume of considerable size. I volunteered (though legislation formed no part of my official duty) to tabulate these bye-laws in such a manner that they were condensed into about seventy pages, in the form of schedules to the statute. Mr. Moncrieff being pleased with the

idea, the matter was left to me, both to draft these schedules, and to see them through the press, for his successor, Mr. Gordon (see 31 & 32 Vict. c. 123). This practically completed the salmon fishery business for Scotland.

Meantime the constitution of districts in England went slowly forward. One of the inspectors was absent from illness a year and three quarters, when, a change of Government having taken place, he was called upon, about the end of 1866, either to return to duty or to resign. The first being impossible, the brother or cousin of a tolerably well-placed Treasury official was appointed to fill the vacancy. But as this gentleman was also known as a scientific naturalist, no exception could well be taken to his appointment, even though the traditions of official life would have pointed to the secretary's promotion, Mr. Buckland succeeding as secretary. Within a few months, however, the other original inspector, who had been ailing for six months—so that I had almost sole charge during that time—died, just after an order forming the last salmon fishery district for England had been drawn up by me and gazetted. The then Secretary of State upon this appointed his youngest son, a third-class clerk in the War

Office, to be inspector of salmon fisheries over my head. At this I ventured to remonstrate, and should have resigned, but foolishly allowed myself to be imposed upon by honeyed assurances of good feeling and the duty of my continuing in office. It need hardly be explained that I had made an enemy, who indeed soon became insolent, and attempted to be exacting. I having, under these circumstances, applied to be allowed to retire, his good taste culminated in a communication written to his uncle, then his father's successor's private secretary, which was calculated to prevent my getting any retired allowance. A very old solicitor-friend insisted that I ought to bring an action for this letter, which had been left open about the office for the delectation of colleague and clerk, and a writ was accordingly served. Upon this Mr. Gathorne Hardy (afterwards Lord Cranbrook) wrote that I must refer the matter to him ; or, if I desired to proceed at law, it must be after I had ceased to be connected with the Fishery Office. My solicitor replied by a courteous intimation that the matter had been already actually brought into court. This was declared disrespectful on *my* part, for which I was removed from office. The action was subsequently referred to Lord

Stanley, who kindly undertook to arbitrate ; when the letter was withdrawn, with the expression of a wish that my interests should not be injured by anything that had occurred. A report was made by Lord Stanley, with which I and my friends were satisfied, to the Secretary of State ; but honour among officials did not allow anything to be done upon it, so that I got neither compensation, pension, nor subsequent employment in office.

It may be instructive to relate that the power to appoint inspectors of fisheries had been renewed for a second three years, and was subsequently kept up, year after year, by Expiring Laws Continuance Acts, passed always at the fag end of the session, when few besides official members and ex-officials remain to attend to legislative business.

A capital instance of jobbery was unwittingly aided by me in this wise. The Scotch business having been finished, as before pointed out, the commissioners for Scotland were not kept on foot by Sir George Grey. One of them, however, survived in Edinburgh ; and it having been represented to me that it would be expedient, and just, to make an alteration in a single river bye-law, I mentioned the matter in conversation

to Sir George's successor at the Home Office ; suggesting that, if appointed a temporary commissioner, I could in three days do what was necessary, in conjunction with the Edinburgh colleague, to effect the requisite object. " Oh, he must look at that." He at once took down the statute from his shelves, giving power to appoint commissioners, and immediately after two gentlemen were duly appointed such ; and all three commenced to draw somewhere about £300 a year each, which probably continues to this day !

As to the arbitration, I was willing to believe that the withdrawal and apology were honourably meant, and that the recommendation of a statesman, of so high a character as Lord Stanley, would be honourably carried into effect by any set of officials, or gentlemen, forming a British Government. That belief proved altogether delusive ; and my only satisfaction was that, at the close of the arbitration, Lord Stanley, passing the son of one of his former colleagues with a stiff bow, cordially offered me his hand ; and that my solicitors did not charge me a farthing, beyond their costs out of pocket for fees paid to my brethren at the bar, all of whom subsequently became Judges.



While at the Fisheries Office I became acquainted with a most worthy man—James Burn—through having accidentally met with the first part of his remarkable autobiography, which he published in 1854. After his return from the United States, I found him out, and was happily able to give him employment for a time, until I left the service; after which he was fortunate in procuring an engagement on the Great Eastern Railway, when he was seventy years old, and which he held longer than any other occupation during his life. It happened that in the weighing up of old stores, worn-out rails, etc., the company had been largely defrauded for several years; but they were unable to discover the method, or to catch the delinquent. Burn was set to superintend this business, and warned that there was something wrong. For three years he was unable to find out the mischief, but at length he did so, laid a trap, and caught and exposed the thief out of his own mouth. It was estimated that £40,000 had been lost in this way, and had it not been thus discovered as much more might have been expected to be further lost, yet Burn was not in any way rewarded for his discovery. The fact was, that he sent a written report to the store-

keeper, without keeping a copy. This probably the man knew, as he claimed the credit of the discovery for himself. I heard of this service, however, soon after it happened ; and when, several years having elapsed, the old man became superannuated with only two months' pay, I endeavoured to open the eyes of the chairman to the real circumstances, and got the door slammed in my face for my pains.

James Burn, believing himself to be on his deathbed in 1880, sent me the completed manuscript of his autobiography,\* which I saw through the press for him, having found a publisher willing to undertake it, in the hope that a profit may be produced for the benefit of his daughters, and I supplied the headings and index to the book. He recovered sufficiently to enjoy several years with his daughters at Hammersmith ; having also received a royal grant at the instance of Mr. Gladstone.

When, under the modern Highway Acts, a Highway Board was constituted for Woking-

\* This book, "James Burn, the Beggar Boy," should be in every public library. Independently of the autobiography, the supplement is well worth perusal, being a remarkable account of the social progress of the nineteenth century.

ham, I was elected a member the second and third years. The chairman, like many other M.P.'s, had no notion of business, and the surveyor, who carried all before him, could not be persuaded to produce vouchers for payments to his men, etc. I was obliged to represent the matter to the Local Government Board, and the result was the issue by that Board of much more elaborate books of account, with the enactment of a provision that the accounts of Highway Boards should be passed by the Government auditors.

## CHAPTER XVI.

## LATEST OFFICIAL WORK.

My latest official occupation was in 1880-1. Having published the "Law of Highways" in the spring of 1880, I sent a copy to Lord Northbrook. Soon after, I received a request that I would make a new index for the Admiralty (he then being First Lord), to the Queen's Regulations and Admiralty Instructions; inquiring on what terms I would undertake it. I acceded at once, saying that I had no reason to imagine I should be dissatisfied with whatever their lordships thought proper to award, on the completion of the work. The volume to be indexed I had never seen.

It was preferred that the fee should be settled beforehand, and I was asked whether I would accept one hundred guineas, which, after mature consideration, was deemed reasonable. I assented; but, after three months' delay, the

Treasury, having referred to the Stationery Office, declined to sanction the proposed fee, because the Stationery Office would undertake indices at ten and sixpence a printed page (to be done, probably, by a printer's expert). I was, however, invited by the Admiralty to make their index as full as possible. Terseness being as valuable in an index as fulness, so that it be compatible with sufficiency, I did the work as I considered most fitting; declining to haggle with the Stationery Office, whilst treating with contempt the idea of estimating the most difficult species of literary compilation by the yard. I produced eighty-six pages only, for which I obtained a nominal fee of £44, in lieu of the £105 offered. What I coveted, however, I obtained, viz. the thanks of the Board of Admiralty in writing; and, better still, the personal assurance of the senior Sea Lord, Sir Cooper Key, that it was a great comfort to him, and "an admirable index."

There was something more, however,—a very paltry affair, it is true, but for the relation of which it would have been scarcely worth while to record this matter of the Admiralty index. In the several works published by me I had always taken pains to make a fair index. Eight

of my books, at least, had been printed at the expense of several publishers ; and I had always prepared my indices in the same way, in MS. My method had never been objected to by any of them. To send an example of my proposed plan to the Admiralty, it was necessary to put a few pages in type, which passed also without observation from the Queen's printers. When, nevertheless, the MS. was completed, after precisely the same pattern, and sent to press, it was by them declared, that it must be all written out again, because it required to be alphabetical. They could not undertake editorial work ; and were now allowed only twenty-five per cent. on the contract price for corrections.\*

I applied for leave to employ a copyist, or that the printers may be allowed to charge for their alleged extra trouble. This was refused by the Treasury at the instance of the Stationery Office, where probably my name was remembered in connection with suggestions for economy and utility in printing previously referred to ; and I was compelled to pay £4 for making this superfluous copy—the excuse for which would have been altogether wanting, had the pretended difficulty been mentioned at first,

\* See page 121.

on the specimen being set up. That this was the mere littleness of pique, I had subsequently an opportunity to prove; for when my index for "James Burn" was ready, I wrote to the publisher, describing how it stood, and offering to have it copied in alphabetical order, as required to be printed (as had been insisted on by the Government printers), if less troublesome or costly; but I had no hint that any alteration was desirable. So much for Treasury judgment, and petty officialism, on the part of persons who have built palatial workshops—to say nothing of residences—out of the profits from public printing.

## CHAPTER XVII.

## HOUSE OF COMMONS PROCEDURE.

I HAVE very many years been much exercised by the slip-slop, perfunctory manner in which the chief business of the House of Commons is attended to, especially the voting of supplies. Because in former days, when the king never called a parliament until he wanted money, the system very properly grew up of demanding redress of pressing grievances before supply, the fiction has been established in our day, under which, when supply comes on, any subject may be talked about till midnight, after which the votes are run through without discussion; so that I have known eight millions sterling voted away in half an hour. The more recent practice of talking for the mere purpose of obstruction, introduced by the American-Irish Home Rulers, and followed with increasing zest by the great fourth party of four, also aided



to induce me in 1880, 1st October, to address the Premier, Mr. Gladstone, suggesting some new rules for regulating the proceedings of the House, as follows :—

### HOUSE OF COMMONS BUSINESS.

Mr. Speaker, who decides all questions of order, and as to the propriety of notices, etc., might well have his authority extended to matters of time, but for the purpose of putting down obstruction only—

1. When a member has exhausted his pertinent remarks.
2. When any motion has been sufficiently discussed.

1. On any member taking upon himself obviously to speak against time—repeating himself, etc., to talk a Bill out, or obstruct progress—Mr. Speaker might be authorized to interpose. “I advise that the member for        has exhausted his remarks; and that I be authorized to call upon the member for        to address the House.” If disputed, division without debate.

2. On any minority of members obviously wasting time, “Unless the (mover) desires to reply, I advise the House that this motion has been sufficiently discussed.” If disputed, division without debate. After which, if carried, the mover to be called on for reply; otherwise the main question before the House put without further debate.

3. Neither of the motions—(1) For adjournment of the House; (2) Adjournment of the debate; (3) That the chairman leave the chair; (4) That the chairman report progress—shall be moved more than once before a division has been taken on the main question or vote before the House.

4. To secure adequate consideration of estimates, supply might be taken on a fixed day weekly; the fiction of

grievance before supply abolished;\* and the motion that Mr. Speaker do leave the chair, put without debate or amendment.

To guard against undue haste, no *opposed* business to be taken *after* supply, although, when desirable, other orders might precede supply.

Resolutions or grievances might be taken on another fixed night, before orders of the day; and on such nights no limit of time for taking any order on the paper.

The session of 1881 having been practically lost for the want of some such rules as above, and there being every appearance of a repetition of the same tactics in the early part of 1882, I again wrote to Mr. Gladstone, 8th April, that immediately on reassembling (after Easter) it should be distinctly made known that in case after every effort, including morning sittings, the Government are unable to complete the business which they deem desirable, by the usual time for prorogation, the session will be continued so long as—by the aid of occasional adjournments for rest—may be necessary to dispose of the arrears.

The new procedure rules, pretty much upon

\* Before estimates are voted, they should be subjected to the *quasi* audit of a standing committee, empowered to examine permanent heads of departments—as well in regard to desirable reductions, as necessary additions—and to report to the House.

the lines above suggested, though not fully carried out, were passed in the autumn of that year, 1882.

In June, 1883, I ventured to hint that Government Bills might be introduced and considered *concurrently* in both Houses, as in the case of the Endowed Schools Bill, 1860 ; both to save time, and avoid undue pressure at the end of the session.

## CHAPTER XVIII.

## VACCINATION.

IN 1849, soon after I had joined the General Board of Health, my first child was born ; and in process of time it became one's duty to think about the vaccination of the infant. I had never heard either the utility or desirability of the operation questioned, but presumed, like most people, that it was a thing of course. My mother's only brother died while suffering from small-pox. (It was said that a person having the eruption was *seen* to pass the window, and thus, through the glass, the contagion was conveyed !) Therefore, when Jenner's "great discovery" became known, my benevolent parent, from pure goodness of heart, went about vaccinating the poor with a stocking-needle, which Jenner taught was fully efficacious. *I* was certainly vaccinated, and probably in this

manner. Nevertheless, I recollect having chicken-pox (long before Her Majesty in 1845), which a great continental authority has declared to be identical with small-pox.\*

When the subject was mooted for our child, I found that my wife had a strong objection to the practice; and in deference to the mother's

\* If one family, surrounded by every apparent advantage, be taken as a specimen, those who accept the duty of judging for themselves in regard to the laws of life, health, and disease, may well be congratulated on not being under the dictation of Court doctors.

The Queen had chicken or small pox in 1845, and, revaccinated in 1871, suffered for a long time after serious illness. The Prince Consort sank under typhoid (pronounced by Dr. Nittinger to be in truth internal small-pox), aggravated, probably, by food forced upon him when Nature demanded abstinence from everything but pure water. The Prince of Wales, revaccinated in 1871, speedily well-nigh succumbed to typhoid (like the thirty-four out of fifty girls at Genoa, three of whom died from that disease, within three weeks after the operation). One of his brothers suffered an attack of small-pox in 1867; and another some years later, not many before his death. Princess Alice, revaccinated in 1863, seemed seldom after to be free from some ailment, and sank under diphtheria in the prime of life; whilst all her children, duly medicated, suffered from the same disease, the youngest of whom died. And there were many minor troubles. Verily, a few generations hence, more enlightened medicos may declare that, during the nineteenth century, the Royal family of England had scant cause for considering themselves blessed by the professional *dicta* of Jenner.

wishes, I thought it right to pause, consider, and inquire.

We knew a lady whose parents' family were of remarkably strong and healthy stock—several having been nonagenarians—and that her own personal habits were exceedingly pure and simple. She had been by no means an idler in youth ; and I had imagined that certain indications of nervous weakness were due entirely to over-mental exertion ; because I did not then know that at about four years old she had, immediately following vaccination, a foul eruption, extending over the whole back of the head—a running sore, open a long time ; the only treatment for which, she remembered, was the application of hot butter by a nurse. As years increased, chronic nervous excitement became more and more wearying to her existence, which, but for her simple habits, would probably have terminated far before. After about fifty, especially, the pain over the top and back of the head, or along the whole spinal region—though chiefly at the top of the back, accompanied by most restless mental excitement, occasionally almost amounting to dementia—may be said to have been incessant. Active in the limbs and taking great interest in

gardening operations, she would often be tired out, yet positively unable to sit still. There were certain slight local irritations also; and with remarkably well-formed chest, the breath was much affected. Now there was positively nothing to account for this painful state but unvaccinated mischief; whilst no physician, out of numbers consulted, could ever suggest a remedy.

While considering the question of my child's vaccination, I accidentally met with a letter in a local newspaper, from which, to my surprise, I learnt that there were persons able to give a reason for the faith that is in them, who strongly objected to the practice. On inquiry, I found there existed a literature on the subject worthy of perusal. I afterwards put the plain question to Dr. Southwood Smith, "Would sanitary measures, thoroughly carried out, put an end to small-pox (as other zymotics) without vaccination?" His opinion was distinctly that they would. As a sanitary man, this, coupled with my wife's antipathy to the practice, was enough for me, and consequently no child of mine was ever vaccinated.

But a new interest was imparted to the question by the action of certain medicos in 1853, who induced the late (fourth) Lord

Lyttelton to bring in a Bill to make neglect of vaccination within three months of birth a penal offence, which was passed towards the end of the session without discussion.

I entered vigorously into the examination of statistics from the registrar-general's returns, in order to discover whether there was any real ground for opinions, to be enforced upon thinking persons in so odious a manner. After years of study, I became convinced that vaccination has not, and never had, any claim whatever to respect. An imposition from the first, it has ever been supported by shifts as treacherous as the varying quicksand; and it has not a scrap of success to set against the terrible and untold evils it has engendered upon the human race.

On this momentous subject I have written much, chiefly in correspondence, of which there have been published a "Précis of the Evidence taken before the Commons Vaccination Committee, 1871," which I personally attended throughout; "Letters to and from Lord Lyttelton" \* including the one of the series first printed, entitled "The Vaccination Laws;" "A Vaccine Disaster Record," tabulating upwards of 400 typical cases of death and injury down to May,

\* See page 361.



1883; and "Small-Pox Statistics in England, deduced from the reports of the Registrar-General ;"\* besides suggesting and formulating several returns, obtained after much official obstruction from the Medical (Vaccination) Department, by the registrar-general for Parliament.

Perhaps the most remarkable example of the production and treatment of small-pox was related to me by a civil engineer of the highest eminence. In 1836 that gentleman was engaged in the construction of a tunnel on the railway near Northampton. The rock to be pierced was very hard ; time was of the first importance, and money no object. A double gang of men were kept at work, *i.e.* as many as could be employed both night and day. There was but scant accommodation for the numbers present ; a few huts only, in which the men were lodged " Box and Cox " fashion. Those who worked by night occupied, by day, the same beds which the day workers slept in by night. A severe outbreak of small-pox took place among them ; and there not being half enough beds for the sick, a very considerable number were forced to lie upon straw in the open sheds.

\* See page 421.

There were many deaths—a large proportion, indeed—among the patients lodged in the huts. But not a single case treated outside on the straw had a fatal termination ; every one of those recovered.

The paper of statistics \* above mentioned contains the small-pox mortality, in proportion to population, in every district in England, during the four worst quarters, in each case respectively, of the great epidemic, 1871-72 ; “ a work of twelve giants,” said a medical man who saw me about it. But labour I never stinted in investigating this horrible matter. These returns conclusively prove that where filth most abounded there did small-pox chiefly prevail, and *vice versâ*.

I attended the International Congress on Vaccination, as one of the English delegates, held at Paris, 1880 ; also at Cologne, 1881.†

There were many fellow-labourers in the case—notably, Birch, Moseley, Browne, Massey, and others, in Jenner’s time—supporting the prior condemnation of the great John Hunter. In my time John Gibbs and his two cousins, R. B. and G. S. Gibbs, Drs. Collins (father and son), Ellis, Pearce, Garth Wilkinson, and Haughton ; Francis W. Newman, Tebb, Dorn-

\* See page 425.

† See page 274.

busch, Hume-Rothery, Gillett, P. A. Taylor, M.P., C. H. Hopwood, Q.C., M.P., Sir J. Clarke Jervoise, Bart., Lord Clifton, Herbert Spencer, the Comtesse de Noailles, etc. ; besides hosts of local writers in England ; many in America, including Wilder, Gunn, Dobson, Corderre, etc., and on the continent of Europe, Böens, Oidtmann, Voght, Hermann Hamernik, Nittinger, Kolb, Keller, Zedwitch, Siljeström, and many more.\*

Compulsory vaccination was abolished in Switzerland in 1882.†

\* Mr. White has made a valuable contribution towards what may be called the origin and history of vaccination in his "Story of a great delusion." (A. W. Allen.)

† This result was accomplished by the popular vote. In the Swiss Republic, when any new law has passed the Chambers, in case a petition bearing a certain number of signatures is presented within six months, a general vote of the electors is taken for or against the measure ; and if there be an adverse majority the action of the legislature is void.

Seeing how easy it has become—by means of what may be denominated official legislation in the small hours of the morning, and at the fag end of a weary session, when the grouse have come in competition with patriotism—to trample in the dust the very shadow of British liberty, it must be apparent that to confer upon the mass of the people a power of veto, similar to that exercised in Switzerland, is absolutely necessary if the Englishman is to preserve his national birthright.

## CHAPTER XIX.

## PUBLICATIONS AND LATER OCCUPATIONS.

AFTER leaving the Fisheries Office, and settling (!) the action in 1869, I had comparative leisure. I continued to act as auditor to the Metropolitan Association for Improving the Dwellings of the Industrious Classes, which I had done from 1855. In 1872 I read a paper on "Prevention of Disease,"\* in the health section of the Social Science Association, meeting at Plymouth; contributed to the *Medical Press and Circular* (February 2 and 16, 1875) an article on "Epidemic Disease;"† another to *House and Home* (July 7 and 14, 1882) on "Hereditary Tendencies;"‡ and some political articles to newspapers. I also lectured occasionally, and addressed meetings on vaccination, and wrote a "Manual of Hygiene," for young

\* See page 316.

† See p. 335.

‡ See p. 347.

soldiers in warm climates, and a paper on "Vital Statistics" \* in the *Society of Arts Journal*.

My other works, published and unpublished, some of which have been before mentioned, are as follows :—

Caritas, a poem. 1846.†

The Fall of Man (after Milton). Libretto for an Oratorio. 1844.†

The Laws relating to Burials. Maxwell and Co. 1855, 1857, 1863, 1873, 1882.

The Laws relating to Public Health, Sanitary, Medical, Protective. Maxwell and Co. 1866.

Paper on Sewerage of London to Society of Arts. 1858.

Paper on Railway Management to Society of Arts. 1861.‡

Paper on Capital Punishment. 1859 and 1864.§

Boudoir Abridgment of "Don Juan."†

Railway Management: How to make 10 per Cent. Stanford. 1859.

The Common Nature of Epidemics. Quarantine and Contagion. Tweedie and Co. 1866.

The Pikestaff Papers. Trübner. 1866.

The Laws relating to Salmon Fisheries. Horace Cox. 1866, 1868.

The Law of Highways. Stevens. 1880.

Précis of Evidence before Vaccination Committee. (114, Victoria Street, Westminster.) 1871.

Index to Queen's Regulations and Admiralty Instructions. (All leading publishers.) 1880.

Abridgment of Graham's Lectures on Science of Human Life. (Vegetarian Society.) Tweedie and Co.

\* See p. 409.

‡ See p. 230.

† Unpublished.

§ See p. 180.

The Vegetist's Dietary and Manual of Vegetable Cookery. (Accompanies Graham.)

The Insidious Red-Tape System in England. 1870.\*

Lecture on Temperance Advocacy.†

The Interments Act (1879). Knight and Co. 1880.

Vaccine Disaster Record. (114, Victoria Street, Westminster.) 1883.

The Magistrate's Pocket Guide. Knight and Co. 1880, 1884.

"Ilminster," C.M. (*to Pope's "Universal Prayer"*).

\* See p. 190.

† See p. 280.

## THE ILMINSTER SCHOOL CASE.

HOUSE OF LORDS APPEALS, TUESDAY, MAY 15, 1860.  
PRESENT: THE LORD CHANCELLOR, LORD CRANWORTH,  
LORD WENSLEYDALE, AND LORD CHELMSFORD. BAKER  
*v. LEE, In re ILMINSTER SCHOOL.*

MR. T. BAKER, in whose name the appeal was brought, being himself a barrister, appeared for the appellant. Mr. *R. Palmer*, Q.C., and Mr. *Baggallay* represented the Vicar.

Mr. *Baker* opened the case by calling their Lordships' attention to the fact that the point raised was entirely new, inasmuch as it had never yet been laid down by any Court that a trustee must agree in opinion with the persons founding or receiving the benefit of a trust; although in settling a new scheme for a charity, the Court had frequently exercised a discretion, by making a selection between rival sets proposed. The present was simply a case of exclusion after appointment. Hitherto, any person capable of holding real or personal estate, was capable of holding such estate as well for others as for himself. He (Mr. Baker) argued that should such a contrary doctrine become established, endless confusion and litigation in the management of trust property must be introduced. He put several cases of inconvenience which must arise from such a doctrine, and cited

Attorney-General *v.* Shore, to show that trustees were there removed for breach of trust alone, one of the number, who had not acted, though of a different faith from Lady Hewley, having been allowed his option to remain a trustee.

The learned counsel then proceeded to show that the Ilminster foundation could not be in any exclusive sense a Church foundation, because at the date of the deed religion in England was absolutely free. The Act, 1 Edward VI. c. 12, repealed all statutes whatever in reference to religion ; and it was not until after this foundation had been completed, that any further Acts regarding religion were passed, the first being the 2 & 3 Edward VI. c. 1, which, however, merely authorized the use in Churches, of an English translation of the Latin mass book. It was directed solely to the priests, having no reference whatever to the laity. They were neither directed to attend the Church nor to conform. Neither did this Act come into operation until after the Ilminster foundation had been completed. It was not until 1552 that a real Act of Uniformity existed. The Articles of the Church, and the Catechism, had both been drawn up subsequently to the establishment of this school, and the Prayer Book also was afterwards settled ; therefore it could not be contended that "godly learning" meant Church teaching as now practised. On the other hand, various doctrines were held by religionists long prior to the year 1548, a fact which must have been well known to the founders of the charity ; *e.g.*, Baptists had been burnt as early as 1511 ; in 1400 the statute against Lollards forbade teaching of schools by heretics. (Various passages were cited from Crosby's "History of the Baptists," Neal's "History of the Puritans," Strype's "Memorials of Cranmer," etc.,



etc.) The learned gentleman said he thought that were there any such desire it might, *a fortiori*, be contended that this was a Dissenting foundation—than a Church foundation to the exclusion of Dissenters. It was evidently established by a Bible-reading people, at a time when Bible-reading was discouraged by the priests. There could, however, be no doubt that the school was intended for the benefit of all comers, and it must be conducted in accordance with the varying circumstances of modern times. There being no exclusion in the deed, you cannot look beyond the deed to find a restriction. If that were possible, anything not taught or known at the time of the foundation must also be excluded, in accordance with such restriction. You cannot be restrictive for one purpose, and inclusive for another. He (Mr. Baker) further contended that, prior to the repeal of the Test Act, Dissenters were not ineligible to act as trustees of charities, though they were excluded by the oaths imposed from holding more important offices. The removal of those tests could not place Dissenters in a worse position than they previously occupied in respect of minor offices. Before such exclusion could take place, it must be decided what, in law, constitutes a Churchman; and what is to be the evidence that a person is not a member of the Church of England. Since King Henry's time, at least, there had been no legislation to determine what persons should believe. They were by one statute enjoined to come to church, by another forbidden to assemble for worship elsewhere beyond a certain number, and so on. The Church, therefore, had always been inclusive—a national Church, claiming the whole community. Liberty of action had gradually been allowed to Nonconformists, but they had lost none of their rights

by such liberty as subjects of the realm, or members of the nation's Church. They can still claim the offices of the Church, must serve the office of churchwarden, and are legally members of the Church of England. Hitherto (said the learned gentleman) the Church has never been regarded as an exclusive sect; the endeavour to make it so is quite new; from the day on which such a principle shall become established, will date the downfall of the Church of England; but whilst it continues as it has always been, the Church of the nation, so long the Church will stand.

He then proceeded to refer to particular legislation in reference to grammar schools. Scores of local Acts for the regulation of various public schools were in existence, but in no case, except that of Shrewsbury, had any attempt at exclusion been made as regards the religious qualification of trustees. Thus, at Christ's Hospital, St. Paul's School, Birmingham, Rugby, and numerous other places, Dissenters were clearly eligible, under the several Acts of Parliament, for the regulation of these charities. It could not be contended that the Court was bound by rules opposed to the practice of the Legislature in similar cases. There could not be one rule for London, and another for Ilminster. Many charities were governed by borough corporations. If exclusion be adopted in the present case, either those members of such corporations, as may be Dissenters, must be declared ineligible to act as trustees of what are called Church charities; or the corporations themselves, from the fact of having admitted Dissenters among their members, must cease to be trustees of the charities in question. He (Mr. Baker), however, contended that if any test were to be imposed, it could not be done by any

inquisitorial examination of the Court, but the test must be fixed by direct legislation.

Even could it be made out (which he denied) that the admission of Dissenters to this school had been unlawful, the long-established usage would have become legal by virtue of the Act 7 & 8 Vict. c. 45. Grammar schools were excepted from the operation of that statute; but this was not a grammar school in the legal sense of the term as laid down by Lord Eldon and Lord Lyndhurst—*i.e.* in which the learned languages only could be taught,—whilst it was a “charitable foundation” long “used for purposes beneficial to persons dissenting from the Church of England.”

On the question of the surplus, Mr. Baker showed that, so far from being of secondary importance, as had been laid down by Lord Justice Turner, not half the funds were even now expended in the maintenance of the original school; but that the repair of the highways, and afterwards the support of auxiliary schools, absorbed the greater part of the existing income. And in fact the whole of the existing property strictly belonged to the surplus, because the terms of years, originally given, expired a century and a half ago, and every shilling of income now received was produced by property purchased from time to time out of the savings, which might have been appropriated to the highways, etc.; but as the parishioners had applied these savings to the continuance of the school, which they had a perfect right to do, the trusts on which the property was now held were those created by the purchase deeds, or rather by the last deed of conveyance to new trustees made in 1836, and not the trusts of 1549. He referred to the South Molton case (Clarke’s House of Lords cases), as to the doctrine of surplus appropriation.

In the course of the argument several other cases were also cited.

The learned counsel's address occupied three hours and a half in its delivery; and he concluded by expressing the confident anticipation that their Lordships would hesitate to create a doctrine, calculated to unsettle trust property in general, by making the qualification for the office of trustee, opinion, instead of principle, and introducing intolerance in lieu of moral integrity.

Mr. *Roundell Palmer*, Q.C., was then heard on behalf of the respondent.

Mr. *Baggallay* followed on the same side.

Mr. *Baker*, in reply, again referred to the Attorney-General *v. Shore* (H. L. cases, 1842, p. 42, respondent's case setting out decree), insisting that the Church of England trustee who had not acted, and had not therefore taken any part in the misappropriation of the fund, was allowed his option to remain, notwithstanding that it was held that members of the Church were excluded from participating in Lady Hewley's charity—this, therefore, he submitted, was an authority in favour of his view of the case.

To the question whether in future all trustees must agree in opinion with the persons creating or receiving the benefit of a trust, his learned friends had not addressed themselves. He would assume that they fully appreciated the inconvenience and confusion which might thus be introduced. They had also failed to show any reasons for fettering the Ilminster charity. Nobody disputed that "godly learning" meant religious teaching; the point was whether the term "godly" was in any manner exclusive. He contended that no term could be equally comprehensive, including as it does all natural, and all

revealed religion. He apprehended that the teaching of astronomy, according to the Newtonian theory, would not be excluded from the school, although not discovered at the time of the foundation; neither would the teaching of the Bible now be excluded, which in the year 1549 was not allowed to be commonly read.

*Lord Chelmsford*: Do you mean to say, Mr. Baker, that "godly learning" would include Deism? In all theological schools, I believe, they begin with the Bible?

*Mr. Baker*: I do not desire to lay down, my lord, what the teaching shall be—there is no complaint as to the religion taught in the school; no question has therefore arisen in reference to the teaching. The trustees are appointed to take care of the property, and to administer the charity. That the Bible was not allowed to be taught in schools so early as 1549, was a well-known fact in English history; for, although the statute of Henry, forbidding the use of the Bible, had been repealed, every youth and every girl who reads history through the medium of a novel, would recollect with what horror Father Philip, and Father Eustace, in Sir Walter Scott's "Monastery," discovered a copy of the Scriptures in the possession of Mary Avenel, and what efforts they are represented to have made, to steal away such an improper book; and the period to which the "Monastery" referred was precisely 1550, just subsequent to the foundation of the Ilminster School. His learned friends had not shown on what principle of equity it was that you could look outside the Deed, for the purpose of finding a restriction, and having found it, that it should not be acted on. If, therefore, nonconformity with the religion practised at the time of the foundation could

exclude Dissenting trustees *now*, the teaching must also be confined to that which was allowed in 1549; and the Bible must be excluded from the schools, as well as the Catechism and Articles, which were drawn up since the date of this foundation. His learned friend argued, that, because by the statute against Lollards, passed in the year 1400, heretics were forbidden to teach school contrary to the Catholic Church, Dissenters or heretics could not have founded this school;—but the very fact of that enactment having been repealed by the Act 1 Edward VI. c. 12 (1547), proves that that restriction was then removed. The intentions of the founders who took advantage of this freedom, cannot be restricted by the subsequent legislation, referred to, in the time of Elizabeth, and Anne, even had not such statutes been since repealed.

If the term "godly" had ever an exclusive meaning it was in a puritanical sense, as pointed out by Lord Chief Justice Tindal in the *Hewley* case (11 Simon, p. 337), where "godly" was held to exclude Churchmen. In this case it is admitted that Dissenters' children may be educated in the school;—the greater the reason, then, why a reasonable proportion of their parents should be among the trustees, to secure fair treatment of them. No want of judgment had been proved against the Dissenters when they had the majority, as pointed out by Mr. Palmer, nor had any complaint been made of their management. His learned friend was probably aware, that they had recently appointed a clergyman as master, who was a distinguished graduate of Cambridge. They had thus proved, that they could honestly and discreetly execute the trust, as their Dissenting predecessors had done, from time immemorial. It is

monstrous that a grievous wrong should be inflicted on these gentlemen, and a stigma fixed on the Dissenters of England, because his learned friend chose to imagine that something may happen, which never has been found, during a long usage, to have happened.

*The Lord Chancellor* : No, no ; no stigma whatever.

*Lord Chelmsford* : The question is not whether Dissenters are honest persons, but whether their appointment can take place consistently with the terms of the Deed.

*The Lord Chancellor* : If it were a Churchman in a Dissenting trust, and he were sought to be removed, on the ground of his being a Churchman, there would be no stigma resting on him.

*Mr. Baker* : It is undoubtedly regarded as a stigma by the Dissenting body. With regard to the Dissenters' Chapels Act, he submitted that the spirit, at least, of that Act, fully applied to the present case, as his learned friend had not shown that the auxiliary schools, at all events, and even the primary school itself, are not "charitable foundations," which have long been "used for purposes beneficial to persons Dissenting from the Church of England." With reference to the assertion of his learned friend Mr. Palmer, that no instance of the appointment of Dissenters by the Court could be given, that was not the question ; but that no case of exclusion could be shown. Although the point had never been raised before the Court, scores of instances could be named where Dissenters were appointed and acted as trustees of grammar schools ; *e.g.* at Manchester, Bath, Monmouth, Christ's Hospital, St. Paul's School, etc. There were, in addition, numerous Grammar School Acts, before referred to, under which Dissenters could not be

excluded, such as Rugby and many similar schools. Under the Birmingham Act the qualification was residence within two miles of the borough, and a certain social standing; and under the Bedford Act a large proportion of trustees were chosen by election, an oath being prescribed, or, "in the case of the people called Quakers," an affirmation. His learned friend, Mr. Palmer, had admitted that the Court would not encourage applications to turn out Dissenters, and that the Attorney-General would refuse his official sanction to Informations which seemed to him uncalled for. But in this case the appointment had been made, in accordance with long-established usage, by the Court itself; and the pressing necessity had not been shown, for the appeal to the Lords Justices, to interfere with the discretion exercised by the Master of the Rolls; thus establishing a precedent which might be highly inconvenient as a matter of practice. His learned friend had suggested, that the inhabitants had no *locus standi*; but why were they obliged to interfere? Because they found that there was nobody to defend their rights. They had bigotry and intolerance, represented by all the eloquence and ingenuity of his learned friend, on the one side, and, on the other, the trustees simply bowing to the decision of the Court. The Attorney-General ought to have been served in these proceedings, and then the public would have been properly represented; but the Attorney-General was not served, and the inhabitants, therefore, were obliged to petition to be heard, as best they may, on the side of liberality and justice.

Where was the necessity for this appeal?

*Lord Chelmsford*: You mean before the Lords Justices as regards Dissenters, do you not?



Mr. *Baker* : Yes, my lord. What grounds of public policy required the appeal to the Lords Justices? Was it that "envy, hatred, and malice, and all uncharitableness" might be introduced, not only into the parish of Ilminster for the first time (for all parties there regarded these proceedings equally with disgust), but over the whole kingdom, so as to require the intervention of Parliament? And that appeal, not by the original party (the late Vicar), for he was dead; not by his representatives who had supported his objections before the Master of the Rolls (for his widow refused to have anything more to do with the case), but by the new Vicar, as it were by a sort of Bill of Revivor? Mr. Baker here pointed out an unaccountable blunder in the printed case of the respondent (the Vicar), whereby it was made to appear that he objected to the original nomination together with the late Vicar—two Vicars at the same time; and remarked that, though his learned friend Mr. Baggallay might have been misled, yet the solicitor, himself a new trustee, resident on the spot, who had conducted these proceedings throughout on behalf of all the various shifting parties, must have been well aware that the present respondent had, and could have had, nothing to do with the matter until he was allowed to take it up on appeal before the Lords Justices. He (Mr. Baker) contended that public policy required the present appeal should be brought to their Lordships. If for nothing else, it was important that it should be decided whether it was competent for the Court of Appeal to interfere with the discretion exercised by the Master of the Rolls. Further, his learned friends had not attempted to show that the Court or that this House is bound by rules, which are contrary to the practice followed in repeated enact-

ments of the Legislature, in the numerous similar instances which have been cited.

Neither had it been attempted to show that Dissenters are not members of the Church of England. His learned friends well knew that Dissenters may demand all the offices of the Church, *e.g.* Baptism, Marriage, Churching, Communion, admission to the church at all times, Burial, etc.; and the office of churchwarden is frequently forced upon Non-conformists. He was prepared to contend that every subject of her Majesty, every one who does not at least voluntarily and publicly abjure the Christian name, or has not been excommunicated, is rightfully and legally a member of the Church of England. Much had been said as to admissions in the Court below, but he had yet to learn that admissions made by counsel acting for A. could in any manner prejudice B. No admission of counsel for the surviving trustees, therefore, that these gentlemen who have been excluded are Dissenters, can in any way prove them not to be members of the Church of England, the only pretended ground of their exclusion.

With regard to the surplus, his learned friend said it might be small, but it always had been, and is, very large; insomuch that it is in evidence that no highway rate has been made in the Parish of Ilminster for thirty years.

*The Lord Chancellor*: Is that in the affidavit?

*Mr. Baker*: Yes, my Lord,—and that auxiliary schools had been established;—these two objects even now absorb more than half the fund. The surplus is not only the most important part of the charity, but every shilling of the present income is derived from property purchased, from time to time, out of savings arising during the original terms of years, which have long since expired.

The *Lord Chancellor*: Supposing, Mr. Baker, the property had swelled considerably after the repairs of the highways had been provided for, what would you have done with the balance?

Mr. *Baker*: Had a large fund been created, it might have been applied for any local improvements; as, for example, such a purpose as the application of the Public Health Act,—draining and supplying the town with water, etc., supposing such to have been required. But I contend that the parishioners, from time to time, had a perfect right to apply the surplus as they thought fit; and that the Educational Trust has very properly been continued.

The *Lord Chancellor*: The spirit of the original deed should no doubt be maintained in continuity.

Mr. *Baker*: The school, however, exists only by usage or adverse possession, as it were, against the highways;—usage as to the teaching; usage as to the masters;—and usage also as to the appointment or eligibility of trustees, must continue therefore to be the rule. The trusts, he submitted, must be interpreted having regard to the period at which the last deed was executed, viz. 1836, instead of 1549. Not one word had been urged in contravention of that argument. All the facts, then, being in favour of non-exclusion, you cannot infer evils for the purpose of exclusion.

I have shown, continued the learned gentleman, that it is a new principle which your Lordships are called upon solemnly to decide—viz. the broad question whether a trustee must agree in opinion with the founder or recipient of the trust to be administered. That this foundation was created at a time when religious opinion was as free *legally* as at this moment; and that the original trust was as free and compre-

hensive as words could make it.—That it is contrary to all rule to travel out of the deed to find a restriction, more especially when it is not intended to follow such restriction ; and that subsequent legislation, since repealed, could not impose such restriction *now*.—That the usage has been free and unrestricted, both as to the admission of scholars, and trustees.—That a large part of the charity—the whole, indeed, now existing—is held for common parochial purposes, whilst the repairs of the church were not even provided for in the deed of foundation.—That even now the surplus of this surplus, so to speak, after providing for the continuance of the original free school, produces sufficient to repair the highways, and to support auxiliary schools.—That the Lords Justices had no authority for reviewing the discretion exercised by the Master of the Rolls.—That no test can now be applied without the aid of direct legislation, to impose such test.—That all English Protestant Christians, whether admitted Dissenters, or professedly Churchmen, are, if not excommunicated, legal members of the Church of England.—And that the ground of exclusion of Dissenters in this case is therefore baseless.

My learned friends contend, that the principles which should govern such cases as the present, are those of narrowness, suspicion, and bigotry, excavated from the long-forgotten practice of bygone centuries. That this is not the principle which now obtains I have shown from all particular, and all general legislation. And I may also refer to the following extract from a recent Royal Proclamation issued to her Majesty's newly acquired subjects in India :—

“We declare it to be our royal will and pleasure that none be in any wise favoured, none molested

or disquieted by reason of their religious faith or observances, but that all shall alike enjoy the equal and impartial protection of the law. And it is our further will that, so far as may be, our subjects, of whatever race or creed, be freely and impartially admitted to offices in our service, the duties of which they may be qualified by their education and integrity duly to discharge."

THURSDAY, 19TH JULY.

The *Lord Chancellor*: After great deliberation, I am of opinion that the order of the Master of the Rolls, allowing the appointment of these three trustees, was according to existing law, and that the order of the Lords Justices reversing that order ought to be reversed.

Nevertheless, my Lords, as I have reason to believe that two of the Peers who heard the case argued at your Lordships' bar are of a contrary opinion,\* the result will be an affirmance of the decree appealed against: the question to be put according to the standing order of the House being, "that the decree be reversed." Had any important question of law been involved, I should have strongly urged a second argument before a greater number of Peers, instead of acting on the maxim which guides this House upon an equality of votes, *semper præsumitur pro negante*. But as this appeal depends chiefly on the exercise of judicial discretion, and the opinion that may be formed of the comparative importance, in the eyes of the founders of the school, and the repair of the highways and bridges, so that this judgment can hardly be a conclusive authority in any future case, I am

\* Lords Wensleydale and Chelmsford being of a different opinion.

quite contented that the decree of the Master of the Rolls should stand reversed, although, if the appeal to this House had been directly against that decree upon an equality of votes, it must have been affirmed.

*Lord Cranworth* : I cannot say that the Master of the Rolls exercised his discretion unwisely, or that the course he took was such as to warrant the order now appealed from.

The *Lord Chancellor* : The question I have to put is, that the decree appealed against be reversed ; but there is an equality of votes, and therefore the decree will be affirmed.

*Decree affirmed, Appeal dismissed, the Costs of the Respondent to be paid out of the Charity Estate.*

#### GRAMMAR SCHOOL TRUSTS.

##### MEMORANDUM ENDORSED ON THE PURCHASE DEED OF MR. BAKER'S RESIDENCE,—“KINGSCOTE,” WOKINGHAM.

MEMORANDUM, that the greater portion of the within-mentioned purchase money was subscribed and given by the under-mentioned individuals as an Indemnity and Testimonial to the within-named Thomas Baker, Esq., for his great exertions in the cause of religious liberty, especially in conducting the Ilminster School Appeal at his own risk (1858–1860), and obtaining the Act of 23 Victoria, cap. 11 (1860), which gives the right to Dissenters of being educated in Public Grammar Schools. In the case referred to, the Master of the Rolls had decided that Dissenters were eligible to be appointed Trustees of an old Grammar School, where the only qualification mentioned in the trust deed was that they should be “honest men of the parish ;” and it was proved that some Dissenters had acted in the management of the charity without intermission for a century and a half. The Lords Justices, however, reversed this decision, and ordered their names to be struck off the list, “they not being members of the Church of England.” But for the boldness and indomitable energy of Mr. Baker, their Lordships’ decision, extraordinary as it was, would have remained undoubted law. Mr. Baker, however, a native and rated inhabitant of Ilminster, although

then resident in London, contested their judgment in the Court of Chancery, and afterwards prosecuted an appeal against it to the House of Lords, and on both occasions personally, unassisted, and with consummate ability, argued the case on behalf of the Dissenting Trustees ; and although he did not succeed in obtaining a reversal of the judgment of the Lords Justices, there being an equal number of Peers on one side and the other (the then Lord Chancellor, Campbell, and Lord Cranworth being on the side for which Mr. Baker argued), he called (thereby and at numerous meetings in the principal towns of England) the attention of the enlightened public to the subject in such a way as to secure at some future and not distant time a remedy of the evil, and he persevered until he obtained the Act of Parliament referred to, called Lord Cranworth's Act, which gives to the children of Dissenters an indisputable right to share in the benefit of all endowed Schools, if not expressly excluded by the founders, and in the opinion of eminent jurists settles the question in favour of the future eligibility of the parents to be Trustees. Mr. Baker also procured the introduction of the concluding proviso in the fourth section of the subsequent Act, 23 & 24 Victoria, cap. 136 (1860), which provides that no trustee shall be excluded on the ground only of his religious belief.

(Signed by the Trustees of the Fund.)

[Here follow the subscribers' names.]

## PETTY SESSIONS PROCEEDINGS.\*

*(Law Magazine, September, 1874.)*

THE phrase, "Justices' justice," has passed into a proverbial signification of the absence of either law or justice. The "Great Unpaid" have, in England, immense power for good or evil, and the almost universal opinion of the public undoubtedly appears to be that the evil vastly predominates over the good. Gentlemen, without the slightest knowledge of law, and without any regard whatever to their moral or intellectual character, are put into the Commission of the Peace, from the mere fact of their occupying a station of wealth or "position" in society. It cannot, therefore, be expected that they will be adequate to the performance of duties upon which they have had no means of acquiring information. They must be under guidance. Accordingly the magistrates, as a rule, are governed in their decisions by their clerks. The justice, who is practically irresponsible, leans upon the clerk, who is wholly so; and as a necessary consequence the most outrageous burlesque upon justice is very commonly performed at petty sessions Courts. It may, indeed, be safely affirmed that on no social question whatever is reform more needed than in the administration of magisterial jurisdiction; and the Minister who will carry out an efficient reform in

\* See the "Magistrate's Pocket Guide," by the Author: Knight & Co.



this respect, will earn for himself an undying reputation.

The first great abuse is that magistrates' clerks are generally paid by fees, and very pretty fees too, instead of by salary, as they ought to be. There is power to commute the fees and to fix a salary in lieu thereof, and this power has, we understand, been put in operation in the county of Somerset, and perhaps some others; but usually the clerk who has issued the summons (for the justice signs, as a matter of course, all that are put before him), and who advises whether the defendant shall be convicted or not, depends upon obtaining such conviction for securing all, or part of, his fees. He, the practical judge, is practically interested pecuniarily in oftentimes procuring a perversion of justice. It is evident that this custom must encourage informations both frivolous and unjust; that such will often be allowed as of course, and that great wrong must ensue. In all cases the clerks should be paid by salary, and absolutely forbidden from taking any share of the fees consequent upon the proceedings.\*

It is of almost equal importance that justices should be encouraged and instructed to make themselves acquainted with legal principles—the rules of evidence, and so on; and that they do their utmost to form their own independent and impartial judgment upon all cases brought before them. They deal chiefly with the poor, but to a poor man injustice and wrong may be ruin. The poor man cannot complain to the Lord Chancellor of improper conduct on the part of any magistrate. He is equally unable to lay his case before the Secretary of State, so as to obtain a com-

\* The Act 41 & 42 Vict. cap. 43, which provides that justices' clerks shall be paid by salary, was passed in 1878.

mutation of an illegal or unjust sentence. He is still more unable to purchase justice by a resort to a Court of law. We fear, indeed, that the power of "taking a case" to a superior Court is too often turned into an instrument of oppression, instead of acting as a check, as intended. The justice knows that to offer "a case" to a poor man is a farce. The clerk, indeed, may be glad to obtain an appeal—which secures extra fees to himself, whatever be the result—and thus the law may be practically violated with impunity by the oppressor.

We would urge upon the Secretary of State, then, seriously to consider the practicability and importance of issuing (under the advice of such judicial assistance and authority as may be deemed expedient) a clear and concise code of rules for the regulation of proceedings, in general, before justices at Petty Sessions; which rules should be printed and exhibited in every Court-house, magistrates' clerk's office, and police-station, so as to be at all times open to the public for reference. Then any gross infringement of such rules might easily be represented to the Secretary of State, and some chance afforded of obtaining justice, or redress for injustice.

At present, unfortunates who generally figure in magisterial Courts, are no more aware than the justices themselves often appear to be, that the accused should never be invited to plead guilty, or to convict himself by answering improper questions; nor that guilt is not to be assumed until innocence proved, but the contrary; and that the onus of proof lies upon the prosecutor. They do not know that the police exceed their duty by asking questions of the party accused, for the purpose of obtaining evidence against him. They are ignorant that all penal statutes or judicial decisions ought to be construed, where any doubt

exists, in the manner the least unfavourable to the accused ; that the evidence of interested persons should be received with great caution ; that the defendant has a right (if not represented by a legal adviser) to be fully heard in his own defence, to cross-examine the adverse witnesses, and test their evidence in every possible way ; that compliance with all prescribed formalities is necessary in any proceeding, etc. ; all which well-settled principles should be made clear by the published rules.

Justices, again, should be instructed by such means that in dealing out punishment, mercy should enter greatly into their consideration ; the object being to prevent crime, rather than to punish, or to create, criminals. And further, that they have very large powers of discretion entrusted to them, so that in their decisions they should be often guided more by the spirit of the offence, or the offender, than by the strict letter of the law.

The clerk should be instructed that, in his capacity of legal adviser to the bench, he is on no account to assume the position of advocate in the case, though it may be his duty to protect the accused against violation of the rules of procedure on the part of an adverse advocate ; still less should he interfere, in aggravation of punishment, with magisterial discretion leaning to the side of mercy. That the depositions should be clearly taken down, and all legal difficulties well considered, in the first instance, rather than lightly disposed of, with a view to the promotion of "cases" for superior Courts. Finally, that the costs awarded should be moderate ; neither encouraging informations, nor, by exacting extortionate fees for professional service, police or witnesses, turning the administration of justice into a trade ; for by so doing he takes the surest method to bring law into contempt.

SOME THOUGHTS ON CAPITAL  
PUNISHMENT.

(*Social Science Congress, September, 1858.*)

IN considering whether it is the duty of Government to exact the penalty of death for the crime of murder, it appears incumbent solely to keep in view the protection of society ; because it is obvious that the extension of any mercy to a criminal, which should have the effect of rendering life and property in general less secure, would not only be misplaced, but inflict a cruel wrong on the community. The murderer is at war with society, and has proved himself ready to carry on that war by the foulest means ; it is therefore a necessary duty to take care that a recurrence of such an offence shall be impossible, and, at the same time, that the punishment shall be of a nature best calculated to strike terror, or awaken a wholesome reflection, in the minds of others of his class.

At the very outset it should be taken for granted that that punishment must be exercised which is most likely to deter bloodthirsty men from giving way to their demoniac passions. The real question is whether the legally violent death of the convicted criminal, is better adapted than any other penalty which can be devised, for the prevention of murder.

Could it ever be supposed that the herd of young and old usually attending an execution, would be likely to commit murder were they not deterred by the sight of the criminal hanged? Could it be supposed that being thus in contact with every species of contamination, would not more or less corrupt the innocent, and tend to make the vicious more callous? or that the few among the crowd, who might be likely to place themselves in the same condition as the wretch before them, would have their natures rendered less savage by witnessing all this display of brutality around? And is it not more probable that these might experience a degree of pleasurable intoxication, in seeing their *quondam* companion, the hero of the hour, acquit himself with manly firmness? Nay, is it inconsistent with human nature that they should feel a kind of envy towards (from their standpoint) the exciter of all this hero-worship, whose life has been recorded in every newspaper; whose (to them) glorious actions have been the theme of conversation at every hearth; whose (to them) certainly not inglorious death has been attended by the shouts of thousands, and by the sympathy of tens of thousands?

Thus it is argued that the infliction of a violent death has not the smallest tendency to deter those who witness it from the commission of crime. Mr. Dymond relates that, "on one occasion, when forgery was capital, a criminal had been executed at the Old Bailey, and his body had been placed at the disposal of his friends; his widow pursued his trade of forging one-pound notes, and a young man sought her house to purchase some. The police were heard in pursuit, and, to prevent discovery, she crammed the notes into the mouth of the corpse; and there the officers found them."

Will the reflection that death is the penalty on detection be best calculated to deter? Would not the thought of a lingering life of imprisonment, and remorse, be more dreadful to their imagination? This question is almost invariably discussed, as if the moment of mounting the scaffold was the time for observing the desire, or fear, of the condemned. That is obviously a mistake, so far as such indications are viewed with reference to the deterring influence of the punishment on the commission of crime. The sole question should be, Does it deter at the moment of temptation or passion?

No one, I think, who has taken the trouble attentively to read any graphic description of the bearing and conduct of a mob at an execution, can seriously believe that any good moral effect was ever produced by such a revolting exhibition. This is, in truth, conceded by the secret haste of the authorities, both in the preparation, and the removal of every trace of the disgusting sight.\*

This fear might indeed influence the nervous and the timid; but such do not belong to the class of persons who commit the crime of murder. Does the pugilist or the bull-dog fear pain when he rushes to the conflict? It is his glory to despise it. Does familiarity with death, and carnage, ever tend to create the fear of death? We know that it has the contrary effect. Ask the soldier, whom all admire, not only for his courage, but his perfect readiness to meet death. It cannot be supposed that the professed criminal fosters a less desire for distinction among his fellows than other men; or that the reputation of having died "game," has not for him a sort of charm

\* The introduction of semi-private, in the place of public execution, since this paper was written, gives up, in truth, the argument of example.

as being his only chance of heroism, and of immortality from the dramatist, or Madame Tussaud!

It is well known that forgery and other crimes once capital have sensibly diminished since the substitution of transportation or penal servitude; and there can be no reasonable doubt that were imprisonment for life resorted to for the worst of criminals—a punishment which would be much more dreaded by them than the present “swing”—the crime of murder would also decrease, and the murderer no longer be a hero.

The whole idea that capital punishment prevents crime is a delusion; the fear of the gallows does not deter the brutal man from his brutality. For the large proportion of crimes committed in a state of intoxication, no calculation on the part of the criminal can be supposed. Although it be no legal defence, the drunken man has, for the time, lost his reason as much as the lunatic. Such, indeed, may, and doubtless often do, fear the punishment of death when the penalty is about to be incurred, and hence it is evident that this seemingly impartial punishment is really extremely partial in its operation. The cold-blooded, calculating, and brutal murderer glories in fearlessly paying the stake which he has at length forfeited when the “luck” has turned against him; whilst the wretch who, inoffensive when sober, has sacrificed his own life with that of another, during the frenzy of possibly unwilling intoxication, recoils from his more cruel doom with shrieks of despair. It will hardly be said that every foolish man, who is tempted to enter a public house, has the fear of the gallows before his eyes, for such an assertion would be simply absurd.

In a paper on capital punishment, Mr. Commissioner Phillips observes that Bacon, Beccaria, Franklin,

Robert Hall, and Bentham agreed in this opinion ; and he quotes the following from the Earl of Derby, in a speech on the Indian Sepoy atrocities : " It is clear that when a man, from the mouth of the cannon from which he is to be blown, boasts that he has killed three or four Englishmen, death, by a sudden blow has no terrors for him, and that he is most probably looked upon rather as a hero than a criminal by his vile associates. I, my Lords, would inflict upon these men a doom far worse than death : I mean a protracted life, with the brand of Cain upon their brow. A life embittered by severe, by degrading, and by painful labour, would be a far worse punishment than death."

It has been objected by those in favour of capital punishment, that their opponents have never suggested a fitting alternative ; at least, in the case of murder. On the one hand, solitary confinement involves a mental torture which bears the semblance of cruelty ; on the other (for transportation, or turning such convicts loose in any manner, is out of the question), that mere comfortable incarceration would not be sufficiently severe. May there not, however, be a middle course ? There could be no difficulty in constructing a prison with separate cells, the sides of which might be open ironwork, so that, without actual contact, the prisoners might converse with each other ; and danger might be avoided by having passages between for the warders, so that there should be a double division between each neighbouring cell.

Suppose it were known that, once in such a cell, a convict would never leave it alive—silently consigned to a tomb of ignominy, and with far greater certainty than at present,—might not the deterring influence be correspondingly increased ?



For the maintenance of discipline, all that would be necessary would be the provision of a small steam engine connected with a water engine, and hose-pipe which might be quickly directed against any refractory convict. After one such infliction, the threat would suffice. The cleansing of the cell floors might be effected by the same means.

With respect to the reformation of the criminal, it may be urged that the greater the guilt the more is reformation and preparation for death required ; but rude barbarians thought nothing of reformation, and the fortnight, allowed by civilized barbarism, affords but scant opportunity for the preparation needed in the case of hardened criminality.

It is fairly argued that the best of punishments is that which is most certain to follow the commission of crime. But capital punishment is notoriously the most uncertain ; so much so, that the numerous chances of escape are reckoned on with confidence by those who calculate at all in the matter ; for the increasing unwillingness of juries to become instrumental in the infliction of violent death under any circumstances, undoubtedly leads to the acquittal of many who would otherwise meet with a righteous punishment. Juries are not necessarily forsworn ; but whilst the two halves of the conscience, as it were, are pulling in opposite directions,—legal technicalities, the advocate's eloquent threatenings of remorse, and innumerable doubts, are too frequently permitted to turn the scale on the side of mercy—the only way of escaping the pain to themselves of dooming a fellow-creature to death.

The death penalty is unalterable, and by the aid of its unrelenting sternness, innocent men are sometimes sacrificed : if not murdered, at least offered up at the shrine of human arrogance, which still presumes

upon a judicial infallibility so frequently proved to be baseless : sacrificed by legal accident, it is true, and therefore according to the authority of a late newspaper correspondent,\* they have suffered no wrong at the hands of the public, the judge, the jury, the sheriff, or the hangman ; but sacrificed still.

It has been asserted that when the late Sir Robert Peel was at the Home Office, a sheriff of London, by his individual exertions, proved the innocence of six men who, in the space of seven months, had been left for execution. What must have been the inference, but that the condemnation of innocent men is not an exceedingly rare occurrence ? †

If the offences of which Mr. Barber, Mr. Bewicke, Markham, etc., were wrongly convicted had been punished capitally, of what use would have been the subsequent discovery of their innocence ?

It may here be suggested that, where fresh evidence points to an erroneous conviction for any crime, the Secretary of State might be relieved from much anxious responsibility if he had power to issue a commission to re-try the case (say to three of the judges without a jury), with power to confirm, reverse, or vary the sentence ; or to award compensation for the legal accident of unmerited ruin.

We cannot wonder that in these enlightened days judges are overcome with emotion while assuming the black cap, although, when old women were burned for

\* During the discussion in the *Times* on Markham's case.

In the notorious case of the solicitor, Mr. Barber, erroneously convicted of forgery, had this miscarriage of justice occurred a few years earlier, another legal murder would have been perpetrated ; so that, when his entire innocence was officially acknowledged by the Secretary of State, no possible reparation could have been made. Whether Mr. Barber, however, gained much by the fifteen years of bodily and mental torture which he endured, might be questioned.

† See p. 48.

witchcraft, and Tyburn numbered its victims by scores, Sir Matthew Hale could pass sentence with equanimity ; and the brutal mob were more concerned to enjoy their favourite spectacle, than to inquire into the guilt or innocence of those who suffered.

It is curious that the chief defence of this truly barbarous custom should be derived from the law of murder laid down in the Pentateuch, which most certainly long since became obsolete, as far as Christians are concerned. To Noah it was declared, "Whoso sheddeth man's blood, by man shall his blood be shed ;" which in England is read as a command, but in Ireland as the mere statement of a fact. Granting, for the sake of argument, that the rendering of the Hebrew be correct (which is disputed), the analogous declaration of Christ to St. Peter, "They that take the sword shall perish with the sword," has never been interpreted as a command. Nor would the fact, if it were so, of such a law having been prescribed for the immediate descendants of Noah, render it valid for all time, because that argument would make death imperative (as given by Moses) for many other crimes—*e.g.* for adultery, which, however, was abrogated by the simple direction, "Let him that is without sin among you, first cast a stone at her." Although the Lawgiver of the New Dispensation was never called on to decide upon the proper punishment for murder, we, at all events, know that He did not call down fire from heaven to consume the murderer of His forerunner, John the Baptist.

Thus, it is insisted that the whole tendency of the Scriptures, and especially of the New Testament, is opposed to the continuance of a practice fit only for early barbarians ; and that it is manifestly wrong

to take away the life which God alone can give, and has given, and which God also can Himself require at any moment. "Vengeance is Mine ; I will repay it, saith the Lord."

If the strict observance of the Jewish Law be really obligatory upon Christians, how many of such Divine commands distinctly broken will our beloved Queen, and numerous Secretaries of State, who have used the prerogative of mercy, have to answer for ! What, at the same time, becomes of the judgment upon the first murderer, on whom a mark was set for his special protection against a violent death from the vengeance of man ?

Again, if one portion of the Israelitish Law is to be observed by Christians, so must all ; and every blasphemer, and every adulterer, and every stubborn son, and every sabbath-breaker, who only lights a fire, should be stoned ; but it is conceived that even the strictest of modern sabbatarians would hardly wish to put in operation *these* customs of the Jews.

Among English Christians, even blasphemy, when punished at all, is rarely visited with a severer penalty than five shillings. "But I say unto you that ye resist not evil ;" "Swear not at all ;" "The sabbath was made for man ;" "Let him that is without sin among you first cast a stone," etc., are not usually regarded in this country as having become quite a dead letter ; yet they must be so, if "Eye for eye," "Tooth for tooth," "Blood for blood," still remain.

The Israelites could no more resort to prisons in the desert, than could the British for the confinement of all the Indian mutineers. But surely, had there been *no* Christian Dispensation, it would require considerable ingenuity, even from a Rabbi Scribe, to prove that laws laid down for a rude age, or for a

migrating people upwards of three thousand three hundred years ago, were ever intended as a Code for all time, among a settled people under a high state of civilization !

With most men there can be no doubt upon this question. But, suppose there were, shall we continue to give every rascal the too full benefit of the doubt with reference to his individual guilt, yet withhold the benefit of a far more reasonable doubt from the entire class of the convicted in the matter of punishment, when, from the irreparable nature of the penalty, such inexpedient consequences on the one hand, and such frightful consequences on the other, from time to time ensue ? The thing is monstrous.

In truth, the argument derived from the Old Testament writings is a mere sham ; worse than an idle, red-tape, political excuse to avoid assuming the responsibility of making a great change in our criminal code, in the face of the apathy which appears to prevail on the subject.

Yet I believe that in this case the apathy is more apparent than real ; and that every tolerably enlightened Englishman would hail the entire abolition of this barbarism as a blessing. Certainly all persons living within the sound of the execution bell, and who are thus liable to be powerfully affected for a considerable time by the sickening horror which, they cannot avoid feeling conscious, is being perpetrated near them, on every fresh erection of the gallows.

THE INSIDIOUS "RED-TAPE" SYSTEM IN  
ENGLAND—1870-80.

MOST forms of government are, in general, pretty well understood. The school-boy is instructed as to the differences between monarchical, aristocratic, and republican forms. There is, however, a system of government prevalent in England, perhaps to a greater extent than in any other country, viz. the "Red-tape" system. This system of Red-tape is, commonly, very little understood. It is enveloped in mystery. Neither the Sovereign, the Lords, the Commons, nor the masses, seem able to make head or tail of it; yet they are all, each in turn, ruled by its irresistible sway. More potent than anything in the world are the bonds of Red-tape. Consequently all bow down before it. The peer truckles to it; the member of Parliament, with few exceptions, runs after it; and, although each affects to despise its influence, almost all of them fall down and worship this supreme idol.

We propose briefly to discuss the merits of Red-tape. What, then, is this mighty power? The system has, in one sense, been very aptly described as the art of spoiling paper; for the tons of thick foolscap wasted by its votaries, in the effort to kill time, are incalculable. But it would be more correct to designate this power as one simply of money—the "Golden

Calf"—a vast system worked and kept in motion by a class of gentlemen whom we call "officials," chiefly the lesser lights, who dispense as large a share as possible of the gigantic revenues of the State for their own and their friends' advantage. Their chief care is at all times to secure their own power, which equally means their own pockets; and for this purpose, to prevent others from sharing either the power or the plunder. In other words, the business of their lives appears to be: (1) how to fleece the tax-paying community in the handsomest manner; (2) "how not to do it," as Charles Dickens has phrased it—*i.e.* how the business of the State may be hindered and disturbed so as to be creating incessant calls for something to be done, which may increase their own importance when, if it ever be, accomplished, though it ought to have been done quietly and efficiently by them long before; and (3) how to prevent earnest and honest reformers from either getting a footing within their sacred precincts, or from acquiring any adequate share of credit for any labour or improvement, which such men may initiate or carry out. The result is, that we have a set of well-paid idle men, fattening on the taxes of the kingdom; whilst at the same time there are numbers of hard-working benefactors of their race starving on the hope that their just claims, which every one recognizes, may be one day acknowledged. In each of these latter cases, lucky is the man if compensation arrive, at length, before the grave.

We proceed to consider the foundation on which Red-tapery rests. The ministers of the Crown are each placed at the head of an office, in which are found men who, knowing how things in the department have been managed hitherto, are naturally relied on by each new chief on most matters with which he

may have to be therein concerned. And this more especially since, in the midst of the multitude of his other duties—real and important State affairs, attendance on the sovereign, the midnight labours of the parliamentary session, the private affairs of men of large estate, etc.—he is glad of as much relief as possible. It is evident that on these small official matters the great man will seldom, if ever, take the initiative: he will stir in nothing which is not brought to his notice, which is not, as it were, forced upon him. Another phase of the system which helps to keep such men in ignorance is, that a statesman seldom holds the same office twice; there are exceptions, but this is the case as a rule; so that the average duration of a Government being short, and at every change a new head introduced, never having had any previous insight into the working of the department, it follows that this head is perpetually in the hands of his "tail." He is led by his "tail;" he must lean upon and be guided by his "tail;" and, therefore, he must necessarily stand by his "tail;" nay, he must defend his "tail" against all assaults.

Granting, then, that it is the primary business of Red-tape to secure individual power and pay, suppose an official to be underworked, is it his business to say so? Suppose he be overpaid, is it his business to complain? Take the converse: suppose a deserving brother, in another department, be overtaxed or inadequately remunerated, will it form any part of the underworked and overpaid to meddle with other people's concerns, and help the oppressed to obtain justice? He will naturally prefer to enjoy his own privileges, and be thankful. He may possibly soon require all his influence to effect some little advantage for himself; or, if there be no chance of that, he may



have a relative to provide for or oblige. Why, then, should he interfere with the concerns of those whom he cares nothing about? For instance, it would have been quite too much to expect from the permanent heads of the Admiralty, who recently got £300, £400, £500 a year *added* to their previous salaries, that they should intercede for the five thousand dockyard artisans lately discharged by our Government, or the three thousand just then being expatriated (by those successors taking credit for having reduced the estimate by the saving on the whole lot)—whose places, however, it is now found necessary to again supply, whilst the increased salaries remain. Neither would the learned parliamentary draughtsman, previously receiving £2000 a year for drawing bills for Government, have his rest much disturbed by the starving of a few clerks, whilst an extra £1000 a year was being tacked on to his already over-estimated pay, by his “economical” friends.

Members of Parliament are always complaining that the public burdens are ever on the increase, yet they seem powerless to check the increase; being, in the first place, ignorant of the causes, and, in the second place, oftentimes far too subservient to men of influence—though of the backstairs description—who may oblige them with scraps of information, or crumbs of patronage. It would not be polite, in these days of fastidiousness, to say or do anything of a disagreeable nature, in respect of any gentleman occupying a comfortable pecuniary position! For this reason, the well-paid Government civil servant is rarely attacked: his office is as good as a freehold. There are, however, every now and then, a few temporary small-fry, a class of useful men always held in reserve by Red-tape, who may be attacked with impunity by able

financiers to make a show of economy. Shabbiness towards these may indicate official vigilance. They are, perhaps, men provisionally employed, or appointed to do the work which should have been done by the permanent official. For example, an Act of Parliament is passed imposing a new duty on some special department. It is immediately discovered that the gentlemen in the office (*i.e.* the permanent staff) are already burdened with labour to their fullest powers. They may arrive at twelve o'clock and leave at four, and read the newspaper in the meantime; but it is not possible to get through any more work, so some new hands must be found to execute the new duties; and the great man at the head of the department is persuaded to oblige some hangers-on, by applying to the Lords Commissioners of her Majesty's Treasury, for their gracious sanction to the payment of temporary officers to perform the newly required labour. Such new men must be qualified by age and experience, as well as education, to carry out the requirements of Parliament; but, inasmuch as they are to be temporarily employed and worked hard, a tithe of the emolument enjoyed by their idle, because fixed, patrons will be sufficient to remunerate them; and when, some ten, fifteen, or twenty years after, the need of their services is no longer felt, or the pressure for economy on the part of some busy member has been greater than usual, such men may be quietly dismissed, with the comfortable assurance that, having spent the best part of their lives in the public service, they have no claim for compensation or continuance in office; because their appointments were merely temporary, and their claims cannot be regarded in any way as resembling those of the permanently appointed servants of the Crown, who have done nothing. A

few hundreds, therefore, disappear from the estimates as a proof of the extreme parsimony of the guardians of the Exchequer; whilst the numerous unnecessary thousands, which appear permanently to impoverish the tax-payer, pass unchallenged; and now and then a fresh and heinous job is thrust in under cover of some economy in the shape of the most oppressive injustice. In this it is the rotten system which is mainly in fault.

There are numerous sinecure offices; as, for example, the appointment denominated, "The Lord Privy Seal," with practically no duties. The nobleman who happens to hold this post being provided with a comfortable office, deigns to look in for an hour occasionally, which helps to relieve him from the tedium of existence. Nobody thinks of abolishing this sinecure, because the salary is £2000 a year, and "the dignity of the Crown must be maintained." It is also an agreeable piece of patronage for a Prime Minister; and what parliamentary leader of the Opposition may not hope to be himself in office with the power of conferring such a coveted favour? As the establishment of this sinecurist only costs another £1000, it is hardly worth while to notice the four officers who get it. They have, doubtless, some trifling duties in waiting on the great man. This is one specimen; there are others of a similar kind, for no valuable sinecure is ever surrendered without a struggle.\*

\* The noble "Master of the Buckhounds," with £1750 a year, for instance, who, in the absence of royal forests, is forced to uphold the glory of royalty—and the royal sport which royalty seldom honours with its presence—by diligently spoiling the poor farmer's crops, in following a *carted* stag, which is duly returned to the cart when captured, to be petted, together with hounds, horses, huntsmen, and all the rest of this royal establishment, out of the tax-payer's pocket. And what

Occasionally a pretence is made to abolish such a piece of patronage, but it is seldom real. There is at the Privy Council an officer called the Clerk to the Council, whose business it is to attend her Majesty when sitting in Council, and to sign the orders passed thereat. The Privy Council meets on an average about once a month, and sits probably half an hour at a time. The salary of this onerous office is £1200 a year. Many years ago, it was discovered to be highly dangerous to be obliged to depend on the convenience of a single clerk to perform these high duties, and therefore a second was appointed of equal dignity, and paid an equal salary. This was felt to be a scandal by a subsequent Government, and it was accordingly arranged that on the next vacancy the second clerkship should not be filled up: that there should be but one. But the Government changed before the death of the senior clerk, and, when that event happened, another was about to be appointed. The late Lord Derby, then leader of the Opposition, however, feeling that he would himself have been barred by the arrangement made when he was in office, felt himself bound to resist the job by his successors. The appointment was not made; but mark what did take place. The chief clerk in the Council-office was made "deputy clerk to the Council," so that he might act for the Clerk to the Council in case of emergency, forsooth! and a snug little addition was made to his salary to compensate him for the occasional hardship of a holiday to Windsor or Osborne, so as to bring it up to £1100 a year. Of course an additional junior clerk could easily be added to the establishment, so

shall we say of the "Lord Lieutenant's Court," with £20,000 a year for the Viceroy's own share, and a great deal more for his household?

that the saving would be the least possible. This is but another specimen of "economy."

The Clerk to the Council is a covenanted officer, as such are called in India—*i.e.* the appointments are made for life. The salary must be maintained: whether there be any work or no, is of little consequence. It is very different, as has been said; with the uncovenanted or temporary officer. Then the rule appears to be that brains and labour are to be supplied; shabbiness and injustice the reward: complaint being stifled by hope, which, it need hardly be said, is ever forlorn.

We knew a professional man, of middle age, who accepted a temporary appointment, to carry out the provisions of a new Act of Parliament, under the delusion that he should get fair treatment from a British Government. He was placed in a separate office, as a branch of the superior department, which should have done the work; and therefore had the sole responsibility of correspondence, accounts, expenditure, and administration. Yet he was paid just one quarter of the salary received by clerks in the superior office, whose only duty is to put into the shape of letters the minutes of the head of the department—mere machine-work, in fact; and at the end of some dozen years, when the temporary work in question was done, this so far responsible public servant was politely informed that his services were no longer required; that he had no claim for continuation or compensation; and he found that the best years of his life being now over, he might take up his profession as best he could.

It is obvious to every intelligent and fair-dealing person that temporary employment should be more highly paid than permanent—that hard work should be better remunerated than light work; that the man

who has employed both head and experience in accomplishing public improvements, should be more entitled to pension or compensation for loss of office after such real service, than a mere element of routine : but by the rule of "Red-tape" the contrary is the case in each instance.

There is, however, an important exception to the rule, that temporary officers are not entitled to pension or compensation, or have no claim for further employment, which should be paramount over nepotism or political interest. This exception is in the case of the high officers of State—those which are best paid. If, for instance, a Secretary of State, or Chancellor of the Exchequer with £5,000 a year, holds office for two years, he may claim £2,000 a year pension for the remainder of his days. Moreover, his services may be in detached bits. Fourteen months under one Government will be added to ten months under another Government, though several years intervene, to make up the two years and establish the claim. This has not only been done, but actually contrived between the ins and the outs within living memory. And then it was the economical Whigs, who meekly took credit for forbearing to turn out their Tory friends, until the pensions afterwards fully enjoyed had been secured.

A secretary to the Treasury becomes entitled to £1,200 a year pension after five years' service in like manner ; and the very first measure on the accession of a so-called "economical" Government was an Act to add to the number of political offices to the holders of which such liberal pensions should attach ; but no humble civil servant has any pension unless he have served at least ten years continuously in a *permanent* appointment. Temporary or disjointed labours give

him no claim, because the amount would be small. At the other end of the stick the pension is readily granted, because, as it would seem, the amount is large, and perhaps because the recipient, in most cases, does not really need it. So much for the economy, consistency, and justice of Red-tape.

One explanation why the abuses perpetrated by, or on behalf of, persons high in office have not been reformed, may be found in the delicacy of Red-tape; for the extreme delicacy of the *genus* towards the well-paid official is something truly wonderful. Nothing improper can be seen, or even suspected, in reference to those on the upper half of the ladder; so that it is comparatively an easy matter to effect a job, if it only be sufficiently large, and perpetrated by a man of position. In such a case the mischief is done before danger is suspected, and being accomplished, the eyes of official gentility are more firmly closed than ever. It is the chief business of the statesman to defend what is *done*: therefore, he never sees anything wrong; he could not imagine it possible that an improper proceeding can have taken place. To take the lowest example of this delicacy, the case of inspectors, employed by the day, and paid by fees, may be instanced. These gentlemen send in diaries of their employment, which are never checked by anybody, except to see that the calculations and castings are correct. It would be quite below the dignity of a well-paid secretary to look into such a matter; and for an ill-paid clerk to presume to question the need of the alleged employment, or the truth of alleged statements by a superior, would be reckoned a piece of gross insubordination. Such an inspector, according to the elasticity of his conscience, may, therefore, easily find himself employment for every day in the year; and

when, as is often the case, it be thought cheaper to pay a fixed annual salary, at a somewhat lower rate per day, the same man may do next to nothing. Here is a direct encouragement to dishonesty. What private business could prosper carried on in such a way as this?

To say that members of Parliament should discover and expose the many varieties of Red-tape impropriety, would be to suppose that gentlemen who are sent to the House of Commons generally, are acquainted with what goes on behind the scenes. But the contrary is most notoriously the case. The juvenile lordling, or born statesman of one-and-twenty, who never had anything to do with business, and never intends to have more to do with it than he can help, cannot possibly know aught of these things. The country squire, wealthy and wanting nothing—the representative of the respect with which he is regarded in his county, and far above suspicion of dishonesty in himself or others—can know nothing about them, and little even of the tricks of party. The astute lawyer, full of his clients' contentions and his increasing fees, may, indeed, see through the shallowness of chicanery practised by Red-tapists and politicians; but he has no time to engage in what might be termed official prudery, and knows too well that the prizes to which he himself aspires, are only to be gained by standing well with Red-tape. The sons of Neptune and of Mars, who have served their country well enough to gain seats, have been, from their youth, surrounded by the very atmosphere of Red-tape, and would as soon think of flying, as of existing without it. The merchant prince not only has more on his hands than he can well manage out of the House; but having, through life, conducted his



own affairs on a principle totally opposite to that which we are now discussing, simply looks on in wonder, and will not profess to understand it. Here and there may be found a member of more than ordinary sagacity and independence ; but he breathes a tainted atmosphere, and, if not otherwise affected, the winning politeness of a "whipper-in," the attentions of the Court, an office given to a relative entirely on account of his great abilities (though such have remained long undiscovered under other circumstances), insures his silence, or induces him to endure the ambient evils with a sigh of resignation.

The consequence of this state of things is, that all the public business is snugly managed between the noble lords and right honourable gentlemen who occupy the Treasury, and front Opposition, benches. Those who are fortunate enough to hold the seats of power at present know too well that their business is to defend, and justify, and excuse anything and everything put into their hands by the Red-tapists who pull the strings in their offices. Those who anticipate the arrival of their own turn at no very distant day (they "are saved by hope") are generally too polite to quarrel with anything which may then be found comfortable, useful, and convenient. Nor will they be too scrupulous in the allowance of official jobs which, by the time they be completed, may haply fall to their own patronage. As a rule, therefore, the two political families, in all that concerns Red-tape and the pocket of the suffering tax-payer, work most harmoniously together.

Occasionally Red-tape becomes an engine for working the most monstrous injustice, and it may be made a very potent instrument of oppression. In no part of the public service is this evil more felt than in

the army. There an ill-conditioned fellow, aided by a due modicum of cunning, may safely play the bully, and wreak his vengeance on his inferiors in rank, though superior to himself in mental and moral endowments, with singular impunity.

A few years since was seen a solemn farce enacted, as if to make a mockery of justice, in the trial by court-martial of an officer in command, for persecuting to the death a model soldier; the sole motive for which appeared to be the desire to crush a subaltern officer by illegal means. This attempt failed through the intervention of the authorities at head-quarters—but in the meantime the illegally oppressed soldier was sacrificed. The delinquent, by *ex parte* statements behind the back of his victim, had contrived to procure from his own local superiors written orders for an arrest. Sheltered by these the remainder was easy. The articles of war were violated, tyranny was exercised without stint, and but that public attention was called to this iniquity, the death of the victim would have concluded the tragedy.

It became, however, necessary to allay the popular indignation. This was the business of Red-tapists. Punishment for the crime which had been committed was little thought of by them. A court was constituted of officers all of equal or superior rank to the so-called prisoner. Charges were framed so as to leave the chief points untouched, every kind of slander was allowed to be heaped on the character of the deceased (who was practically, therefore, as much on his trial as the pretended prisoner), yet there was no member of the court to watch over his reputation. The witnesses, necessarily of inferior rank to the accused, feeling that they also (as the event proved) were practically on their trial, though also unprotected

by the constitution of the court, gave their evidence with reluctance, evidently knowing more in several particulars than they dared to say; yet they were allowed to be bullied with impunity, and afterwards actually punished for their *animus* in telling so much of the truth as could be drawn from them; and the actor who played the part of the criminal on his trial was acquitted, "fully acquitted," "fully and honourably acquitted," and his expenses subsequently paid by the Government! Had the dead man been living, and on his trial, justice would have required that he should be tried by his equals—at least that some of these should have formed the court. In like manner, had the witnesses been tried—which they should have been before being punished—they, also, would have found a due proportion of their equals among their judges. But Red-tape so contrived the matter that the injured dead, and the living witnesses, should all be tried at one and the same time, by the equals and superiors of the triumphant culprit. Thus tyranny is upheld by fresh oppression. Acknowledged wrong had been done, but all the doers were held to have done right. They who objected to the wrong were held to have been wrong themselves, and punished accordingly—British tax-payers included, who dared to be indignant, and must pay for their impertinent indignation. Red-tape smiles blandly that her bands are strengthened.\*

\* A despotic sovereign is the fountain of justice within the dominion, and may redress any wrong committed by a powerful subject, on receiving a petition from the oppressed; but, in England, Red tape has absolutely reduced the sovereign to a cypher. A memorial to the Queen can only be presented by a Secretary of State, who has most probably inflicted, or permitted, without due inquiry, the injustice complained of. Such an officer naturally declines to present an appeal against himself; and following the invariable rule of Red-tape, he will,

From this, and numerous other examples which might be given, it may be seen that, in the military service, injustice is enforced by tyranny, from which redress from officials is hopeless.

In the Civil Service, injustice is worked chiefly by neglect of well-merited claims, etc. There is ample scope for jobbery in either the civil or military service. When the command of a regiment falls in, the chances are a hundred to one that a member of the aristocracy, not above asking, or an officer whose friends possess strong political influence, will be selected, though ten men of superior service-claims be passed by. But then, if the appointment be criticised, the very distinguished services of the appointee will be paraded and trumpeted with a perfect roar of indignation; all of which is, of course, perfectly beside the question, the fact being that double such distinguished service without interest, would not have procured him the post: because, as the fact is, four times the merit failed to secure the reward for an officer with less influence. Sir William Napier, the historian of the Peninsular War, by the neglect with which his claims were treated, long afforded an example of this nature.

In the Civil Service, if the prizes falling in be not sufficiently numerous, a job may occasionally be created anew, and sometimes a meritorious public servant may be cold-shouldered out, that another may be jobbed in.

unless a heaven-born statesman, refuse, whatever his opinion may be, to interfere in matters on which action has been taken by a predecessor. The despot would, no doubt, consult with, or direct inquiry by, his minister, before acting in any case; but Red-tape prescribes that the minister must first decide whether his advice shall be sought. The sovereign is therefore unapproachable, and the fountain of justice is sapped by the petty rulers, who, in their several departments, usurp a power, which, like all other usurpation, invariably leads to tyranny.

Perhaps the most flagrant case of this latter kind which has occurred within living memory, was the Medical-Department-of-the-Privy-Council job. Here, in the first place, a true physician, who founded the "Board of Health," had accomplished what few leaders of a national mind have succeeded in doing—*i.e.* he lived to see the doctrines which he promulgated so thoroughly instilled into the public mind, so thoroughly passed beyond the fashionable phase, that it would have been considered a disgrace by an intelligent artisan or labourer even to dispute the value and importance of the truths he taught. Superstition and ignorance, regarding the rules of health, had combined with poverty to huddle families into the smallest space, thus destroying every feeling of modesty, undermining health, and shortening life. Enlightened philosophy was roused by his labours, to save the moral character of the country from ruin; and health—the greatest boon man can enjoy—from premature decay. How, then, was this great reformer treated by Red-tape for having relinquished other important positions and a good professional practice, and devoting himself to the work of Government? An Act was passed to effect a change, under which a legal colleague who had influence in Parliament, and used it, was secured a pension of £1000 a year, he having been in the covenanted service before his appointment to the higher office—though never having had a private practice to relinquish, he never sacrificed anything but his time to earn his salary. But the philanthropic originator of sanitary reform, though he had given up a profession and other emoluments on taking office, having been appointed only a few years, was therefore "uncovenanted," and left to the tender mercies of Red-tape—to the Treasury. And what

did "my Lords" propose to do for him? Why, to give him one year's salary, and send him about his business! They not long after awarded a military medical chief, who, like the lawyer, had never relinquished anything, and whose mismanagement and tyrannical conduct had sacrificed very many lives in the East, a pension of £1200 a year, because he had received pay for forty years! \* But the sanitary chief—the benefactor not of armies only, but of the entire human family—was to be sufficiently compensated for his invaluable services, and professional losses, by one single gratuity of £1200. This intention, after strong pressure by humble friends out of doors, was changed to a pension of £300 a year! Vice may be well paid, but virtue, truly, is its own reward!

That eminent man had no sooner been got rid of, than "Red-tape" again, under the auspices of "economy," appointed a medical officer at £1500 a year; and subsequently, having abolished the "Board of Health," on the plea of economy, transferred its sanitary powers under the Nuisances Act (and such powers as then existed have never been put in operation from that day to this) to the Privy Council. The same pet medical officer was handed over with the "*powers!*" and authority given him to appoint inspectors at £3 3s. a day; † and their united sole work has been to sap the first principle of Nature and "the liberty of the subject,"—*i.e.* the natural right of parents to protect their offspring.

\* See p. 77.

† The Act confirming this job is called (was it irony?) "The Public Health Act, 1858," by which the salary (£1500) was permanently fixed, notwithstanding which, however, the "*pay*" was afterwards increased to £2000; and altogether the cost of the two Offices—Local Government, and Medical Department of the P.C.—is about double the expense of the Board of Health, out of which they were economized! (See page 80, *et seq.*).

This medical officer case, indeed, affords a capital illustration of how completely the great majority of members of Parliament are in the hands of managing officials! The jobber presumes on his position to push his object with the head of a department, who, too delicate and confiding to look closely into the matter; fails to see through the dust thus artfully thrown in his eyes, and goes down to the House prepared to repeat what he has learnt, after a due modicum of "coaching;" a bold colleague hazards an assertion in support; an objector, who knows not the real facts, is satisfactorily answered in the opinion of those who hear the by-play, but are even still less informed on the matter; and the House is committed—ay, and commits the unhappy tax-payer, too—to the perpetration of a flagrant job!—the name given to obtaining money under false pretences, on a sufficiently genteel scale.

But why are members thus easily hoodwinked? The fact is, as we have before seen, that the business of statesmanship is the only one which requires no previous preparation. Any gentleman aspiring to the honour, who is able to string a few sentences together on the passing popular political gossip, and can afford to pay the expenses of an election, which too often means, if properly expressed, to *buy* the seat, goes straight to Parliament a ready-made statesman!—being, in truth, but another tool in the hands of Red-tape.

Should the advent of real reform ever take place, a different state of things may be brought about. That real reform, we venture to assert, must begin with the constituencies. When electors shall be independent enough to walk to the poll, or ride at their own expense—when they shall be manly enough to

form and act upon their own judgment—when they shall be honourable enough to unite in paying, out of their own pockets, all inevitable charges of the election, then will they, perhaps, trouble themselves to find men competent to represent their interests in Parliament—men who will go prepared to labour and talk less about “the honour!” An honour that is purchased is no honour at all! There can be no confidence between the elector and the elected on such terms. Each only endeavours to make the other serve his own purpose, and the natural result is, as we see, the continued glory of “Red-tape.”

Any man, then, may, under favouring circumstances, become a member of Parliament! But when the question is, How shall a clerk at £90 a year be selected? the cry is for competitive examination. The press echoes the popular cry; sapient members follow in the wake: and observe how Red-tape uses them all for its own purposes! Competitive examination for the Civil Service is gracefully conceded. It is not, however, to be open to all comers, as the people fancied; deluded souls! Oh, no! There must be first a nomination. The minister's patronage, and the member's influence with hungry expectants, is actually increased threefold. Three candidates are nominated for a particular vacancy, and that one alone. Three members are thus obliged, in lieu of one, as formerly; but the two rejected candidates have no more claim for another chance than any other son of Adam. Well, but then, “you get the best of the three.” How does that appear? Are these candidates tested by those who require their services, to see which is most competent for the particular work to be done? By no means. The head of a department could not condescend to come in contact with the junior clerks.



Not even the great man's deputy to the third or fourth degree would, at the Antipodes, did he happen to meet so small a man in company with one of the aborigines, have the least suspicion that he had ever been in closer contact with the *quondam* clerk than with the native! Successful men of business judge for themselves whether persons in their employ are of use to them or not; but it is far otherwise with the Red-tapist. He has no interest in the efficiency of those under him, and, therefore, as competitive examination, after the pattern described, has been determined on, there must be a special commission to conduct it. A capital job is initiated, and perhaps some of those who have helped, by their writings, to gull the public, have their reward.

A snug new office is forthwith established, with a commissioner, £2000 a year; a secretary, £800; registrar, £600; examiner, £700; assistant-examiner, £600; six other assistant examiners, £1500; with fifteen clerks and other helpers, making a round total of about £9000 a year, besides office rent, stationery, etc.; and all for—Humbug! (The total is probably much more now, 1885.)

What, after all this parade, has the successful candidate, when appointed, to do—say in the highest departments under the Crown? What has he to do? Just to label and put away papers, or copy letters into a book: the merest machine drudgery—employment for which the only qualification needed is steady patience under enforced idleness, or studied emptiness. Had he to deliberate over the manufacture of laws, or the important business of the nation, we have seen what qualification would have sufficed. As it is, all his “cramming” has been worse than thrown away, for it actually unfits him to endure the drudgery re-

quired. He has been made an intelligent and thinking man (unless it be all a farce), to be turned into a machine the rest of his days. For though, once appointed, his salary steadily increases till it becomes monstrously out of all proportion to the work, the nature of his routine duties remains much the same to the end of the chapter.

It is easy for "Red-tape," backed by a venal press, to accomplish a wholesale job like this; but he must be a bold man who can attack single-handed any nest of officials once banded together by the lust of plunder. Few men will attempt it, however great the abuse, because there are few possessing sufficient self-reliance and confidence in their own powers. Such a man was found a few years since in Lord Westbury who swept out the Augean stable of the old Bankruptcy Court. It was indeed a Herculean labour, and he succeeded in effecting his object; but not even the transcendent abilities of Lord Westbury could supply forbearance to stand against the storm that was raised against him, in consequence by the ten thousand and one connections and friends of the hungry animals who had inhabited that stable. A base insinuation sufficed as an excuse for concocting lie upon lie (long since proved to have been such, but then reiterated and trumpeted on all sides by interested press scribblers), until the noble lord was goaded into the mistake of resigning—which was the only mistake he made.

A certain sapient magazine ascribed the downfall of Lord Westbury (as if such a man could have a "downfall") to the spite of those of his peers who had felt the sting of his sarcasm; but, whatever may be the weaknesses of the House of Lords, none but a child in intellect could think them guilty of such

childishness as that. Some may have hated Lord Westbury for his contemptuous treatment of intellectual mediocrity ; but what hate equals that of the wolf despoiled of his prey, the robber deprived of his pelf ? The libels and calumnies, heaped upon the greatest lawyer among the Chancellors of Great Britain, were solely attributable to the host of Red-tape enemies, their fathers, sons, brothers, and cousins to the tenth degree, who suffered justice by his reforms. And one of the greatest weaknesses ever displayed by a new Prime Minister was exhibited when, in constructing the next Cabinet, the Woolsack was offered to another man whilst there existed, already to hand, such a Chancellor as Lord Westbury.

Because extravagant salaries are paid in the public offices, the House of Commons and the public are persuaded into the belief, that very profound and clever fellows are requisite to fill the posts. But let us see the kind of work performed in a leading "Circumlocution Office."

A letter is received from Mr. Careful. It is opened, stamped, and registered by a clerk, whose salary is £600 a year ; passed on to another, who endorses on the back its date, name of writer, and the subject, thus : "J. Careful draws attention to the fact that certain abandoned mine shafts in Cornwall are left unfenced." This is important work, and is paid for at the rate of £800 a year. The letter is now ready for perusal by the minister's deputy, parliamentary or permanent, as the case may be—the one getting £1500 a year, the other £2000. This functionary having read the endorsement, makes a minute, "qy., Inspector for report," with his initials. The document is next handed to the great man himself, at £5000 a year, who, glancing at the suggested minute, writes

"Yes," adding his initial. It is now sent to a head clerk at £900 a year, who gravely indites a letter on thick foolscap. "Sir,—I am directed by [setting forth the minister's name and office] to transmit to you the accompanying letter from Mr. Careful, calling attention [here he copies the endorsement of the subject], and to request that you will report thereon for [the great man's] information." This having been taken to the deputy for signature, is handed to a junior clerk at £300 a year, who copies it in a book; another at the same salary, or £50 less, puts it in a cover and addresses it; an office-keeper at £250 passes it on to a messenger at £200, who, at his leisure, delivers it to the inspector, paid £3 3s. a day when employed, or £800 if paid by salary.

In due time Mr. Careful's letter is returned with a report that the Act of such and such a title does not, in the inspector's opinion, provide any remedy in the case, and therefore the minister has no power to interfere. The inspector's report having passed through a like routine is duly minuted—"qy., Inform him accordingly," and again, "Yes." After which Mr. Careful receives the eagerly expected reply in the same solemn form, acknowledging the receipt of his letter, and stating that the great man "has no power to interfere."

These valuable State papers having been carefully labelled, and placed in a pigeon-hole by another gentleman at £550 a year, the business is ended. (The £90 or £150 novitiates generally look on with their hands in their pockets whilst these State proceedings are going on, or pull out the books and papers, and copy the copies for their dignified superiors.)

There may be three dozen such important affairs.

of State daily; and, occasionally, on some question that may have excited popular attention, and may be mentioned in Parliament, the minister and his deputy have to cudgel their brains to write a more lengthy minute, which, in most cases, is required to perform the double function of saying something and nothing at one and the same time; but the above is a fair average specimen of the labour for which these high salaries are paid, and in the few cases of difficulty even, the work of the clerks is the same; except that of the chief clerk, whose business it is to pass the inspector's accounts (though without any practical check), and such little pecuniary matters, at £1000 a year.

Then there are, of course, a variety of divisions of business, requiring four or five senior clerks, with their due proportion of juniors, who attend to as many different branches or classes of communication; also a few private secretaries, entrusted with profound State secrets—secrets not always of the purest water; so that the aggregate amount for the office will, perhaps, be little short of £25,000 or £30,000 a year, independently of the various sets of inspectors at about an equal sum, who could very well do more than all the work without the circumlocution, if allowed by Red-tape to *do* it.

This, of course, is a specimen of a superior department. There are examples where real work is performed at a reasonable rate; as, for instance, the Registrar-General, with no secretary or deputy, is paid £1200; his chief clerk £600, rising to £800; senior clerks £250 to £350; juniors £160 to £240, etc. The duties of these gentlemen require thought, calculation, and patient industry; they must have brains and they must use them, therefore they are not

overpaid. This, however, is a comparatively new or modern department ; but if they be paid enough, how immensely are others overpaid, who, in comparison, lead the most lazy lives !

It would be easy to multiply instances of greed and examples of jobbery ; and to tell of lamentable blunders arising from sheer inefficiency : but it may be mentioned that this inefficiency in upper well-paid appointments is not, any more than the stupidity and blindness of members of Parliament, attributable to the neglect of the Civil Service Commissioners ; for all superior appointments require no examination, no qualification, but the favour of the particular "Barnacle" who has the patronage ; and we know, on high authority, that "the Circumlocution Barnacles, who are the largest jobmasters in the universe, always pretend to know of no other job but the job immediately in hand."

There is a gigantic department, whose business professes to be to keep in check and override all the rest ; it is the Treasury. Here there are sixty officials, at an aggregate cost of £52,000 a year. Twenty of them receive from £5000 to £900 a year each,\* and their occupation is supposed to be that of preventing the public exchequer from being plundered ! They employ twenty-six messengers to wait upon themselves, and, as may be imagined, the amount of idleness displayed amongst this over-bloated fraternity is something absolutely stupendous. Four, six, and even eight months or more, will sometimes be required to get a letter "through" (as it is called) the Treasury ; for who would have the impudence to hurry such powerful people, before whom whole tribes of expectants of every degree crawl to lick the dust ?

\* Greatly increased since (see p. 124).

Well, of course, such transcendent purists could never soil the least of their fingers with a job, or take any unfair remuneration for their own labours. Let us see. One of these immensities is denominated "the Auditor of the Civil List," and of accounts passing through the Treasury. The amount of labour he has to perform no human mind can calculate ! it is poorly remunerated by a salary of £1200 a year. A few years ago a cry was raised in the House of Commons that the revenues of the Ecclesiastical Commission were not properly managed. To oblige and satisfy the House, the then Treasury auditor was deputed to look into the commissioners' accounts. The Treasury reported (of course the auditor had no hand in that) that it was desirable such inspection should continue from time to time. So the poor over-worked auditor (as thin as a lath, perhaps) had this extra duty permanently thrust upon him. After a time, "my Lords"—really fearing, doubtless, that he would become a skeleton unless able to afford more nourishing diet—were blandly pleased to grant their worn and self-sacrificing auditor an additional £300 a year for this extra service. Did any one call to see him (he must be worth seeing) at the Treasury before twelve o'clock or after four, he would not be found. Try at any hour, during three months of the year at least, at convenient intervals, he would not be there at all. He would be inspecting the Ecclesiastical Commissioners' accounts, perhaps, or enjoying his holidays, whichever you please to believe !

Here, then, when the Church is scandalized throughout the land, that so many poor livings exist where the clergymen starve on a miserable pittance, because the Ecclesiastical Commissioners cannot contrive to find funds sufficient to augment their stipends,

a fat official steps in, already able to buy up any score of them, and takes—by way of extra-payment from the State above his £1200 a year—sufficient to find the means of comfort, if added to their wretched incomes, to six poor clergymen's families at least.

And who but boasters of economy perpetrated the last peculiarly "Treasury" job? The First Lord could not do without the support of a certain friend, so created for him the office of "Third Lord of the Treasury" *pro tem.*; and as soon as another office of equal value was found for the young statesman, who had made himself a necessity, the economical Premier took fresh credit for *abolishing* the new office—thus proved to have never been wanted,—which now yielded him the opportunity of effecting a saving; forsooth! by giving his own son £1000 a year as a "Junior Lord of the Treasury;" one of those officers of the "Sparkler" class, who notoriously have no duties whatever, but sham duties, to perform.

The best commentary upon this appointment may be given in the words of Charles Dickens:—"When it became known to Britons in general that their intelligent compatriot was made one of the Lords of their Circumlocution Office, they took it as a piece of news with which they had no nearer concern than with any other piece of news—any other accident or offence—in the English newspapers. Some laughed; some said, by way of complete excuse, that the post was virtually a sinecure, and any fool who could spell his name was good enough for it; some—and these were the most solemn political oracles—said that [the Premier] did wisely to strengthen himself, and that the sole constitutional purpose of all places within the gift of [the Premier] was, that [the Premier] *should* strengthen himself. A few bilious Britons there were



who would not subscribe to this article of faith ; but their objection was purely theoretical. In a practical point of view, they listlessly abandoned the matter, as being the business of some other Britons unknown somewhere or nowhere. In like manner great numbers of Britons maintained, for as many as four-and-twenty consecutive hours, that those invisible and anonymous Britons 'ought to take it up;' and that, if they quietly acquiesced in it, they deserved it. But of what class the remiss Britons were composed, and where they hid themselves, and why they hid themselves, and how it constantly happened that they neglected their interests, when so many other Britons were quite at a loss to account for their not looking after those interests, was not made apparent to men."

The British tax-payer is compelled, as we have seen, to pay for his own ruling by lazy jobbing Red-tapists, who annually laugh over his struggles and contortions, whilst vainly endeavouring to free himself from some small portion of his burdens. Thus do those burdens silently increase ; for, in this age of progress, reforms in our social system must necessarily take place. These must be initiated by Act of Parliament, to carry out which, work must be done. Under the existing system, every tittle of such new work is magnified a hundredfold to provide fresh offices and Red-tapists, whereas whatever becomes effete and worn out is, as we see, infallibly kept on foot, as far as payment of salaries is concerned, for the sake of ever-coveted patronage.

Is there, then, no remedy ? Must these flagrant abuses for ever exist, and keep pace with the increasing commercial prosperity of the country ? Certainly they ought not, for doubtless there is a remedy, and that remedy must be found in Parliament.

Were there even a small phalanx of members of the House of Commons well informed on these subjects, and able to battle effectually with the professional Red-tapist, a great change for the better might be accomplished. Joseph Hume, even single-handed, did something in the right direction. He entered Parliament late in life, without any previous knowledge of the intricacies of office, so that he had everything to find out before he could attempt an onslaught. All honour to him, therefore, that he succeeded in effecting what he did. His successor has not yet appeared upon the scene; but when he does he will have a much better "following" than had Joseph Hume; and would therefore be able to accomplish far more.

It is, indeed, high time that something should be done. The estimates, during a period mainly of profound peace, have trebled in about thirty-five years. In 1829 the total expenditure, including thirty-two millions for the interest of the National Debt, was about forty-six millions, *i.e.* fourteen millions for the service of the State. Now it has for several years averaged from about eighty to eighty-five millions, the interest on the debt being only twenty-eight millions—or fifty-seven millions for the various services. The expenditure has therefore increased fourfold, out of which the charge for the Civil Service has increased, from two and a half, to twelve millions.

A very large item of this bloated expenditure is paid in the shape of *pensions*, chiefly given where no better claim exists than the life-long enjoyment of a salary, out of all proportion greater than the value of the work rendered. In fact, the greatest defaulters are the largest receivers. Again, in the army, because in war time it was found necessary to restrict the

number of "good service" pensions, the Naval and Military Departments find it convenient to keep that number always on foot during peace, as pieces of patronage in their gift, and when no adequate meritorious service has been performed by the recipients. In truth, the pension list would astonish most sober people were it produced. In 1862 a return of pensions was made to the House of Commons (No. 100 of that session); but the smallest possible number was printed (from *economical* considerations, of course; seeing the paper was so voluminous), and it was therefore speedily unobtainable. It should be annually revised and published. There is, indeed, an annual vote for pensions, but this comprises only a small portion; most of them being mixed up in the departmental votes, each of which includes salaries for existing, and pensions \* for "superannuated," officials.

The uninitiated may have been puzzled to account for a certain official's patriotic humility in accepting the apparently crab-like promotion of "Secretary to

\* When any man has fairly made sacrifices, *e.g.* by relinquishing a profession or otherwise for the public service (not tricking himself into office), it would be the height of shabbiness in the Government of a great country to withhold from him a pension proportionate to his loss; but no one who through life has simply received from four to ten times the rate of remuneration for which similar services would have been performed in private life, by an ordinary professional man, or clerk, as the case may be, is therefore entitled (as by the rule of "covenanted" Red-tape he is) to compensation, or pension, on retirement at any time. Much less is a miscalled statesman, who has held, two or three times during a few odd months, making up two years, a post for which he may have proved himself notoriously unfit—because he has thus pocketed £10,000 of public money, under any other system of morality, entitled further to receive £2000 a year for life. Moreover, a man who gets notoriously more than his work is worth, or is altogether a sinecurist, is not therefore morally entitled to continue to pocket such plunder; yet millions have been, and are received under Red-tape "authority," even by persons who neither perform, nor have ever performed, any service whatever for the money!

the Treasury," when he already held the high-sounding office of "Third Lord" on that immaculate board. This humility, however, will be understood, when it is explained that, while the salary is the same, the new office of "Third Lord of the Treasury" had not been included in the recent statute for additional official pensions ; whereas, after five years' receipt of £2,000 a year as Secretary of the Treasury, the self-sacrificing holder thereof is entitled to claim a pension of £1,200 a year for the rest of his life. The present loss of spurious dignity, therefore, may be well compensated by the security of future ease.

Estimates once raised are never again reduced to their previous level : it would be utterly opposed to the religion of the Tite-Barnacles that they should. Witness the large permanent increase secured under cover of the Crimean war ; and, indeed, who can tell how soon the curse of war may descend once more upon the land ?

Against such an emergency the nation surely should husband its resources. What, then, may be expected if a prolonged contest should at length occur ; when, with peace on all sides for years, we have been unable to get on without such multiplying charges, with an income-tax to meet them ? This tax, originally intended as a mere temporary expedient, is now almost regarded as a settled permanent institution, and assuredly it must be so unless a radical change takes place. But with the increased burdens imposed by war, the state of things would become absolutely intolerable.

Let the tax-paying body, and the electoral body, therefore, look well to these things ; remembering that their interest is directly opposed to the interest of that grand official legion, snugly ensconced behind

the scenes ; and let the qualification required of a candidate for Parliamentary honours no longer be a well-lined pocket, but a head, a will, and a determination to offer strenuous resistance to the greedy encroachments of "Red-tape !"

THE "POOR-RATE" SYSTEM.—It is much to be doubted whether, at the present period of British history, there exists a better abused person than the *poor* ratepayer. Year by year officious legislation, often falsely styled improvement, is urged upon the community, whilst our paternal Government, or centralization, is encouraged more and more to interfere with the social and domestic arrangements of the mass of the people : the obvious result of which must be, that, ere long, the Englishman will not only not be able to insist upon his ancient right of thinking for himself, but will become habituated to the condition of perpetual childhood, not being allowed to form an opinion on any subject whatever. Fresh philanthropists are springing up every day, courting popular favour by reason of their schemes for the improvement of the people ; but, when the sacrifice for such advantages is imposed (and no good can possibly be obtained without the payment of an equivalent), it is universally found to be cast upon the ratepayer, the *poor* ratepayer, in more senses than one. Whether it be to the national advantage that men and women throughout the land shall, in all things, become children under the tutelage of a few Red-tape officials, nominated by the members of Government for the time being, requiring a modest competence for their friends and relatives—which is very much to be doubted—is not now our business to inquire. What we propose to consider is the fairness and expediency of charging

every kind of burden, imposed by every new Act of Parliament, upon the rate made for the relief of the poor. In the first place, it is notorious that the poor-rate, and all other local rates, are most unfairly assessed; and, perhaps, in the nature of things, it always will be so. The men of wealth, landowners in every county, invariably dabble in local matters in which their own interests are concerned. They are as invariably deferred to, with reverential awe, by the smaller members of the local bodies with whom they act. They never hesitate greatly to undervalue their own mansions and estates, as compared with the dwellings and properties of middle-class people, on the plea that such large mansions, etc., could not be let to a tenant for the interest on the cost of building and laying out; as if, in their case, the enjoyment of what they deem necessary to their individual comfort were of no value: whereas the small owner or occupier is as invariably screwed up to the full value, and every fresh brick added to the freehold brings an increased assessment. Small men cannot resist this species of shabby injustice and exaction, because they dare not offend those upon whose countenance most frequently their chance of living depends; and, therefore, it is manifest that the local rating principle will, in most cases, be grossly unfair as regards the ratepayers. But, if the local-rate principle be unfair in general, how much more monstrous is it to charge the expense of fresh burdens upon the *poor-rate*—thus not only depriving the ratepayer of any real voice in the matter, but diverting moneys raised for one ostensible purpose (the relief of the poor) to other purposes foreign to such relief, and often to vexatious and tyrannical intermeddling with the rights and liberties of the poor. This system of obtaining money under false pretences further leads

to the practice of great cruelty towards the poor by their ostensible guardians, because so many burdens which *must* be paid are charged upon the poor-rate (and these burdens are annually increasing), that the only manner in which the guardians can economize—the only way open to them to acquire the favour of their constituents by keeping in check the rates—is to grind and screw the pauper to the utmost. Hence we see the papers often disgraced by reports of inquests upon miserable outcasts starved to death at the very doors of union workhouses, whilst the overburdened ratepayer groans without effect at the prospect of ruin perpetually staring him in the face. The following charges are now paid out of the poor-rate under the authority of various Acts of Parliament:—1. The expenses of the guardians in carrying out the provisions of the Nuisances Acts. 2. The same of the Bakehouses Act. 3. The same under the Common Lodging Houses Act, compensation to keepers, etc. 4. The same under the Labouring Classes Lodging Houses Act. 5. The same for emigration purposes. 6. The same for lunatic asylums. 7. The same for registration of births, deaths, etc. 8. The same for vaccination fees and prosecutions. 9. The expenses of the vestry in laying down sewers in certain cases. 10. The same for baths and wash-houses. 11. The same for provision of cemeteries or burial-grounds by burial boards. 12. The same for public improvements, playgrounds, etc. 13. The same for jury lists. 14. The same for registration of voters. 15. The same for census returns. 16. The same for prosecutions for felony in certain cases. 17. The same for prosecution of disorderly houses. 18. The same for allowances to constables. Then there is an important rate clearly intended to have been a separate rate, but

as the result of slovenly legislation now charged upon the poor-rate—viz.: 19. The county rate and others really charged upon it, but practically, therefore, on the poor-rate, as—20. The police rate. 21. Adulteration of food, prosecutor's expenses. 22. Cattle diseases prevention, ditto. The highway rate, and lighting and watching rate are assessed separately, but these also are made upon the poor-rate basis, so that the same unfairness, as between the wealthy and middle-class ratepayer, equally obtains. Here, then, we have twenty-two different kinds of burdens charged upon the "rate for the relief of the poor," a rate intended to prevent the misery and disgrace of starvation in a land of plenty; and, as a necessary consequence, starvation is rife. A 23rd charge is now fixed upon this unfortunate poor-rate—viz. compulsory education, and prosecutions. But where is this to end? Surely if any fund more than another should be held inviolate from the pollutions of avarice, indulgence, or tyranny, it is the poor-rate, which ought to be held sacred for the relief of distress, disease, and starvation. So also to such a fund, above all others, should the wealthy be compelled fairly to contribute. All property should, for this purpose, be assessed at its full value, and any deduction, be it ten or fifty per cent., should be allowed on all alike; or, if any favour be shown, it should not be towards the rich, but to the smaller owners and occupiers, those most nearly approaching the pauper being charged less in proportion towards his support. Perhaps the majority of the above-mentioned charges should be met by a general-purposes rate; but for several of them, at least, a separate and distinct rate ought to be levied, in order that the opinion of the ratepayers be taken as to whether the specific burden, with the rate to defray, it should be imposed or not.



It is, doubtless, highly convenient for lazy legislators, or parliamentary draughtsmen, to save trouble by quietly creating an additional charge on an already authorized rate, which cannot be disputed; highly convenient, also, for red-hot philanthropists, demented with their bright peculiar schemes, their own pockets being saved harmless, while a spurious popularity is gained: but there are certain ancient maxims of British freemen which are worth more than all the philanthropic panaceas of the nineteenth century.\*

Take, for example, the recent encroachments of medical Red-tapists upon the once sacred "liberty of the subject." Though nothing is better known than that no two medical men can ever agree on the most ordinary method of practice; notwithstanding that the fashion of woman's dress is scarcely more changeable than the empirical methods of treating disease; no doctor, can he only be "dressed in a little brief authority," hesitates to lay down rules, and even dictates laws to the parliamentary wire-pullers of office—which, of course, are passed by idle legislators without inquiry—imposing fine and imprisonment upon thought, and bribing the entire profession (once a noble one), by the payment of paltry fees from the pockets of the ratepayers, to "stamp out," what? "the plague"? No, but the prescriptive right of freedom of opinion. No man now may advise another with regard to his health, unless he have passed the gate authorized to take the fashionable toll of current medical rule. No citizen is now able to manage his own household and bring up his family according to

\* *E.g.* "That there shall be no taxation without representation."—That "the Englishman's house is his castle."—That "every man has a right to enjoy his own opinions, and to be protected in the enjoyment of them," etc.

the dictates of his own conscience, unless his opinions, if allowed to form any, coincide with those of the State doctor-dictator; without the violation of his hearth by parliamentary spies, the infringement of his liberty by the parliamentary doctor, or personal fine or imprisonment at the instance of these spies, at the expense of his neighbour the parliamentary ratepayer. Yet this farce of freedom is called "the relief of the poor"! A year before the cattle plague — of Playfair importation, Aberdeen pack-sheet, and Hunt legislation notoriety—a certain poor man, who served milk within thirty miles of London, lost three cows by the endemic which had not then become general, and therefore not a penny of compensation had he. The year following, when the Aberdeen pack-sheet had done its work, enveloping the brains of Hunt and his Lowe-ing followers, the same poor man had occasion to drive a cow to his neighbour's farm. Two days of time (his only capital) were employed in endeavouring to fathom the wisdom of Hunt's Act—he went several miles to the magistrate's clerk, who told him to get an order signed by the magistrate, and that one such would suffice. He travelled many more miles, and at length succeeded in finding a great unpaid within his baronial hall, and bent with reverence on obtaining the much-coveted certificate. Still somewhat heavy-hearted at the loss of his two days' time (and the thought of the three cows lost ere the importation of Hunt's compensation), he trudged off with the animal, now duly licensed, as he believed, to tread the Queen's highway. When lo! a swelling and important figure majestically stops the passage. "Where's your pass?" "Here, sir." "Let me see it. This is only signed by one magistrate, it ought to be signed by two." "Mr. — said one was enough,

sir ; I walked all the way to —, to find out what I must do, and he told me. I did what he told me." "Can't help it ; I must summon you." Summoned accordingly. No harm done, or alleged. Fine, 5s. ; costs, 15s., in addition to the two days' time (and the pre-Huntite loss), and also this very poor man's proportion of the rate paid towards the maintenance of the majestic authority in blue, and called, by way of irony, "the relief of the poor"! Many years ago a farmer's son, of seventeen, shot a pheasant, for which a majestic Blue issued a summons, frightening the poor lad into three and a half years' banishment from his home and friends. Returned at length, he lived a year and a half in peace ; when accident brought him once more under the eye of the great authority, who proceeded to vindicate the majesty of the law represented in his own person, by sending the young man to gaol ; for how else could he eat his bread with a clear conscience?—bread raised for the relief of the poor! A sailor had a child which appeared to be quite healthy. The doctor told him he must have it vaccinated to save its life, which was done, but nevertheless the child died ; and the ignorant sailor accused vaccination of having killed it, declaring that he would never have another so trifled with. Next year, he having gone to sea, his wife had a second child, also apparently healthy. The registrar registered it, and served her with a notice to have it vaccinated. This, however, with the dread of her husband (we will say nothing of the love of her child, in so ignorant a person) before her mind, she neglected. The "authorities" were down upon her, and, though for nine months she kept them at bay, at length succeeded in fining or imprisoning her—the expense of their long-continued campaign coming out of the

rates for "the relief of the poor"! Such instances of "poor relief" might be multiplied *ad infinitum*. What wonder that all these benevolent expenses should so impoverish the guardians that, only within a few months past, several cases of starving wretches having been offered a shilling a week and a loaf to keep them out of the workhouse, and who, having been found dead on the stones in consequence, should have cast an indelible stain upon philanthropic, benevolent England? We may be excused, however, for drawing upon the imagination for one more example of "poor relief." A country labourer, earning his 8s. a week, with seven small children, and a sickly wife, sends his eldest boy of eleven years old, to keep birds from his master's wheat, unable to withstand the offer of an extra 1s. 6d. for the service. A majestic Blue parades his zeal by hauling the poor father before the bench for neglecting to send this boy to school: the man is fined, and goes to prison, "having nothing to pay." There we have the climax. The zealous functionary of the law is paid, the schoolmaster is paid, the expense of the prosecution is paid, and the culprit's family is kept—out of the "rates for the relief of the poor." Which would be the heaviest charge upon the fund it may be difficult to say; but we may predicate, with safety, that the lightest in proportion would be the dole appropriated to the poor man's family. Ratepayers should insist that the rate for the relief of the poor shall be appropriated to the relief of the poor, and to nothing else. Let a general-purposes rate, as in ancient times, be levied for such minor matters as the ratepayers in vestry shall determine; but let important objects be provided for by a separate and distinct rate in each case—*e.g.* where the majority deem it requisite to establish free schools,

let an education-rate be levied to provide them. Where, in like manner, police-constables are necessary to keep the peace, the vestry should determine the number really needed, and make a police-rate for the purpose. When this is done we may hope that a pack of idle loiterers, ever meddling with the concerns of well-conducted persons, would be effectually got rid of—men who, by their “fussing” officiousness, are fast turning what would otherwise be a useful force into a public nuisance. It is, indeed, astonishing that so much apathy and indifference to public concerns and their own private interests should be displayed by ratepayers in general. In this matter of police alone, even in London, what abuses are allowed which a tithe of our ancient British resolution might put down! Any excuse of a passing character is sufficient to secure a large increase of the force, but no amount of tranquillity ever brings a diminution; and thus the increase of rates goes on merrily. A temporary Fenian outburst saddled the metropolitan ratepayers, and taxpayers in general, with a permanent charge for an additional thousand men, and a dynamite explosion a thousand more. The death of a chief commissioner did not produce a more active successor alone, but no less than four lieutenants, commanders of districts, at £500 a year each. A new Cab Act produces an inspector-general of carriages, etc. So the game goes on. Snug official berths are created while the poor perish at our doors, and the ratepayer stands by with folded arms, while the policeman picks his pocket. The above is but a specimen of what obtains throughout the country during this age of so-called “Liberal” progress. The spirit of liberty seems snuffed out, and England is governed by “Red-tape.”

RAILWAY MANAGEMENT, FROM THE  
PASSENGER'S POINT OF VIEW.*(Society of Arts, December 11, 1861.)*

AT the time of the Exhibition in 1851, the railways having their termini in the metropolis were capable of daily delivering and returning 40,000 passengers; but it has been calculated that the Exhibition of 1862 will find the capabilities of the London railways so extended that, instead of 40,000, upwards of 140,000 people may be carried to and fro every day. It is, then, obvious, even if this carrying power stop at the present point, that the management of railways is an affair of national importance as regards the comfort of the vast number of passengers necessary to make these undertakings pay, and also the yielding a fair security to holders of railway stock.

As the comfort of the passengers must in the main regulate the amount of traffic, it is proposed in this paper chiefly to treat that portion of the subject. It may, indeed, be affirmed that there can be no comfort if the road be not good and the travelling safe; nor can the proprietors expect to secure a fair return for capital and labour, unless the advantages offered be such as to attract custom and afford pleasure. The capital invested in British railways already amounts in round numbers to four hundred millions sterling, or

nearly half the amount of the National Debt. The mere commercial success of these immense undertakings is in itself indeed a national question.

Coal is carried upon railways at a halfpenny per ton per mile, and it has been asserted that at this rate coals pay better than passenger traffic, because the tonnage is so much greater. The rate at which third-class passengers are charged, reckoning two hundred-weight to each, including luggage, is 1s. 8d. per ton per mile. These pay better than the first and second class, for the same reason that coal pays better than either. The number more than makes up for the difference of fare. So also excursions at one-third the parliamentary rate pay better—with all their drawbacks in the shape of extra charges—than ordinary third-class trains.

In the face of these facts there can be little doubt that were the people able to travel at a fair average speed in comfortable carriages every day, and at any time of the day, at half the present parliamentary rate, viz. a halfpenny per mile (*i.e.* tenpence per ton per mile, or twenty times the coal-rate), railway dividends would be enormously increased. The people must and will have amusement of some sort; of all kinds of recreation none is so seductive to English men, women, and children, as travelling to see the country, or visiting their friends; and therefore, when it can be done cheaply, with comfort, and without loss of time, there can be no reasonable doubt railways will absorb half, at least, of every shilling now paid for less innocent amusement; producing, indeed, a grand social revolution in the country.

Two classes only would be sufficient, a few shillings extra per hundred miles being charged, not for additional comfort or speed, but simply for exclusiveness.

When the enormous weights now placed on small luggage trucks with four wheels is observed, the number of extra carriages occasionally collected for excursion traffic, and the extent to which this irregular work is able to be carried on, nobody can believe either that the rails are unequal to bear any amount of passenger freight, that sufficient rolling stock cannot be provided, or that fully packed regular trains might not be made to deliver their thousands of travellers daily, in lieu of the present spasmodic loads interspersed between the usual strings of half empty carriages.

In calculating the relative expense of goods and passenger traffic, it must be remembered that the former require men to load and unload the trucks; also, in the case of coal, the trucks must return empty; whilst passengers employ no labour of this kind, and the carriages are filled in both directions.

Dividends can only be raised to any considerable extent by increased traffic, and that a great increase could be provided for on existing lines with additional rolling stock, is proved by the fact that, on extraordinary occasions, and sometimes by borrowing rolling stock from other companies, the ordinary business is greatly multiplied. Indeed, to add very much to the present every-day traffic could offer no difficulty so far as the mere capabilities of the lines themselves are concerned. This is especially the case in reference to short distances and for regular travellers, and the main reason why it is not so increased is, without doubt, that the comfort of travellers is not as yet secured.

It is scarcely possible to conceive a limit to the extent of travelling over distances varying from ten to fifty miles of London, or other of our larger towns,



provided the facilities of which railways are capable, were afforded to residents in the country having business in cities. At present these facilities are denied.

It is not alone that annual fares are too high, and trains not sufficiently numerous ; but, what is even of more consequence, people cannot bear the travelling. That which may be pleasant for a time, and ought to be so always, soon becomes a burden under present management ; and perhaps ere the first ticket has expired, the passenger's physical strength succumbs before the process of continual violence to which he has been subjected, and the alternative of bodily prostration, or sacrifice of property and the advantage of country life, is presented.\*

The interest of railway proprietors, therefore, requires that these things should be gravely considered. The shareholders' interest is identical with that of the passengers ; and the welfare of the latter cannot but conduce to the welfare of the former. At present, for one who tries and relinquishes the experiment of country residence, perhaps a score are deterred by the recapitulation of his loss and personal suffering ; yet there is no valid reason why this should be inflicted. An hour's ride, night and morning, was a pleasure in the good old times when, "having swallowed in the roll, we rolled in the Swallow." Why should a journey of the same duration now be productive of pain ? It surely cannot be unavoidable that rapidity of motion should involve the shaking of the passenger more violently than the physic by which his medical adviser vainly strives to afford relief, so long as such abnormal exercise is continued. One gentleman, known to me, having last year purchased a residence thirty miles from town, has recently sold

\* See p. 105.

it, being unable to continue the travelling. A second passenger, on the same line, frequently observes, "Depend on it, I don't go oftener than I can help, for I find I cannot stand it." A third person, who had tried a shorter distance three years, says that nothing should ever induce him to undertake a regular railway journey again. A fourth informed me that he had incurred considerable pecuniary loss by the experiment, which he had relinquished. These are instances occurring among my own personal acquaintance; but, in truth, it is becoming notorious that a daily journey by rail is exceedingly trying to the constitution. Sir Ranald Martin informs me that persons who have suffered in India from sunstroke are generally unable to travel by railway, and that it is a common observation that constant travelling by railway, eventually disturbs the functions of the nervous system and of the circulation—so much so, that men of business who made a habit of morning and evening journeys have been obliged to give it up. I have also the authority of Dr. Southwood Smith for stating, as a well-recognized fact among the medical profession, that delicate persons, and especially pregnant women, are very liable to be injuriously affected by a single journey; and Dr. Smith has, himself, recently known two gentlemen forced to abandon their country residences, after little more than a year's experience, to save their health from permanent injury.

It may be thought, by managers of railways, that these evils arise merely from excitement acting on nervous people; but this is evidently a mistake. Men readily become accustomed to any habit which is not physically injurious, and as the novelty wears off excitement subsides. The effects of excitement are shown at first, and diminish by use; but in the case

of the railway traveller the mischief is not felt until after a considerable time, the spinal column having in the meanwhile become gradually weakened, and when pain is first felt the evil may have already become deeply seated. My individual experience affords a fair illustration of the truth of this reasoning.

The cause of the evil is not the excitement of travelling, but the violent and unceasing jar of the railway carriage as hitherto constructed, combined with unevenness of the rails.\* Indeed, the question of the best kind of spring to afford ease to the passenger, can scarcely have been considered by the carriage builders, however luxuriously the interior of first-class carriages may appear to be fitted. In the first place, the single horizontal springs in use are manifestly inadequate for the purpose required. So unsuitable are they that it is difficult to conceive how they could have been brought into use, except from the fact that they were employed for carriages on common roads; but the coach was adapted to such road, by every method which could be devised to give ease to the traveller without distressing the horse. The latest of such improvements was the abandonment of the C spring, because by its use the momentum of the carriage was lost, or of little avail in going over stones, and the horizontal, bow, or grasshopper springs, were substituted. Taking for granted that all the latest improvements were to be adopted in the railway carriage, the coach-builder seems to have forgotten that there would be no stones to hop over, and, there-

\* I am informed, by an experienced station-master, that drivers and guards, who are necessarily robust men, are much tried by the physical strain upon them, but that guards suffer more than drivers. If this be so, the explanation I think must be, that the former sit, while the latter stand.

fore, no objection to the C spring, which is quite as easy for vertical motion, and far more easy for longitudinal and lateral motion, as well as a greater protection in case of violent concussion, than the others.

I am not an engineer, and therefore offer no opinion as to the method by which the desired end may be accomplished, but being in the habit of conversing with numerous fellow-sufferers and complainants under the present state of things, and hearing various contrivances discussed, it may be no harm to mention one or two as examples.

It has been suggested that the seats might be detached from the carriage body, placed upon higher and stronger spiral springs than are now used for cushions, and kept steady by guiding rods, the holes through which these pass being surrounded with a thick packing of indiarubber. Another plan is that the carriage, instead of being directly attached to the springs above the wheels, should be so constructed as to hang within an outer frame. Say, for instance, that the sides and top of this outer frame should be a light trellis-work of wrought iron or wood, and that at every point of intersection in this trellis-work, from the top, ends, and sides (exclusive of the door spaces) springs be attached, after the manner of boiler stays, and connected with the internal frame or carriage proper. As, besides the interior, the doors only of the inner frame would be visible, no further finish would be needed for them. They might be much lighter than the present carriage body, as well as roughly made, and the saving thus effected would go towards paying for the external trellis-work and springs. If these springs could be made of indiarubber, or some other non-conductor of sound, another advantage would be gained by lessening the noise

which at present is so distracting to nervous people. Whatever may be the value of these suggestions, and perhaps double external springs might do much, it seems plain that it is the interest of railway proprietors to make the habitual use of their roads possible:—whereas it appears, from the Board of Trade returns, that there were fewer season-ticket holders by two thousand in 1860 than in 1859. If these be taken at only £10 each, it would show a loss of £20,000 clear profit in one year; but it should also be remembered that country residents travelling daily to town invariably bring more occasional passengers than any other class of persons, because, besides other members of the family, no town acquaintance can be brought home to dinner without first feeding the railway. It is impossible, therefore, to calculate the real loss sustained by any diminution of the home traffic, and, in accordance with self-interest, it would be wise to offer a premium for the carriage which shall combine the least possible amount of jar, with the least possible degree of noise.

Perhaps all that need be rigid and hard in a railway carriage is the framework on the wheels, on which pillars supporting a rigid roof might be placed. From these roofs could be suspended, by elastic ropes, light flexible compartments, all the sides and seats of which could be padded and soft, so that in case of ordinary concussion (and a complete smash is the rare exception) passengers, not driven against each other, could scarcely experience a blow harder than might be received from a boxing-glove, and thus would be afforded a great preservation from personal injury. These carriages might be more expensive in their original construction than the present coach-carriage, but not materially so; they could not sustain nearly

so much damage either from ordinary wear or from collision ; and the saving of compensation to injured passengers would be considerable, even were not the comfort of the traveller, or, a still more important consideration, the preservation of life, taken into account.

An auxiliary means of affording greater ease with less noise might be simply to cut the rails in a slanting direction, so that the joints would be oblique instead of square, which would go a great way towards diminishing the continual jar at the points of junction. The amount of depression at the joints may also be decreased, and the process of fishing, as it is termed, superseded,—and therefore the cost of fixing the rails lessened, whilst much of the expense of re-laying might be saved,—by substituting for the wrought-iron bars on chairs, at present in use, strong longitudinal beds of cast-iron, having grooves into which light wrought-iron bars with steel surfaces might be inserted, so that the more expensive tough metal required to take the wear, may be easily replaced in the grooves. The cast-iron beds, having no friction, would last a very long time if protected, as they easily might be, from oxidation.

The improvements which have been pointed out being requisite for first-class carriages, how much more must they be for second and third class ? The same substantial comfort would, I conceive, be provided for all under judicious management ; for, granting that luxurious exclusiveness should pay an additional fare, it can be none the less true that it is the attraction of numbers, rather than of the wealthy few, which must be aimed at if traffic is to be largely increased so as to make railways pay. What is wanted is, greater facility as regards personal comfort, reasonable speed,

and frequent trains, in order to induce a multitude of travellers habitually to use the road. If the conditions of cleanliness and decent behaviour were enforced, as they ought, it would appear unnecessary to employ third-class carriages at all. Surely to incur the extra expense of running separate third-class trains, because the passengers pay less, is something like "cutting one's nose to spite one's face."

In winter much suffering from cold might be avoided by turning the spare steam, not wanted for blast, into tubes fixed along the floors of the carriages, which might be rapidly connected from one carriage to another by means of flexible joints; and since the draft of this paper was written, I have been pleased to hear that the system of warming the carriages has been introduced on the London and North-Western Railway, as it had previously been on the continent.

The carriages should be high enough for tall men to stand up with their hats on, and they should be well ventilated at the top, so that the windows may be shut, whenever desired, to exclude cold or dust. Dust in summer is not only a nuisance to passengers, but a great expense to companies, damaging the carriage linings, the bearings of the wheels, and, most important of all, the engine; but it might be almost entirely prevented by laying gas-tar asphalté throughout the line, and this would further save waste to the permanent way both in wet weather and dry.

A very great source of annoyance to travellers in general is experienced from tobacco fumes, produced by the few whose conduct is governed by sensual appetite.\* The infliction of a pecuniary fine is not sufficient. The rule should be, that any one found smoking in an ordinary carriage be summarily ejected,

\* See p. 107.

and left to await the next train. The guard who allows a smoked carriage to leave the last station for taking up passengers, without a report to the inspector of such ejection, should be dismissed. The tickets being collected at that station, would give the opportunity to test every compartment, and if, on the discovery of smoke, there be several persons who deny all knowledge of the offence, each one should be *ipso facto* deemed an offender, and turned out accordingly. Between the last station and the terminus, should smoking take place, it might be detected by the train being occasionally stopped, without notice, to catch culprits, as there is nothing like summary justice in these cases. Under such rules there would soon be an end of unauthorized smoking on railways.

Communication between the guard and driver has at length been accomplished on many lines, after much public clamour, but it might have been effected by a more simple plan. The experiment was once made by a sub-engineer, of placing a mirror, in view of the driver, at an angle, in front of each side of the engine, so that the whole of the two sides of the train were shown at a glance. The result is said to have been that an object thrust out of any window caught the driver's eye, without his turning the slightest attention from his look-out ahead. It was impossible to avoid seeing it, so that in case of danger—fire especially—a number of hands or handkerchiefs shown from any carriage, would afford a most satisfactory signal. Unfortunately, the chief engineer was somewhere on the line when the experiment was made, and immediately ordered an innovation introduced without his authority to be suppressed, and nothing more has been heard of the signal mirror ; which, by



the way, might probably also serve for light reflectors for the back of the train at night.

A contrivance for taking on carriages by means of a rope on a drum, without stopping the train, would be another means of saving power, whilst maintaining the average speed. In this manner ready-packed carriages might be picked up from station sidings, not only in the case of slow-going luggage trains, to take on labourers, but even express trains. Take, for example, the North-Western express from Manchester, which at present cannot afford time to stop at so important a town as Stockport. Up to a certain limit, temporary diminution of speed may safely take place without loss of time; because during every moment steam is shut off, power is accumulating, and if the train continue in motion, the application of this accumulated power would be sufficient afterwards to make up for the temporary slackening of speed. If, therefore, the Stockport carriages be ready filled on the siding, and, whilst the train is passing slowly, they be hooked on by the drum rope, strong enough to draw them up to the train, without a jerk, the coupling irons might be rapidly attached, and the husbanded power being immediately turned on, the increased rate of speed in the next few miles would compensate for the minutes lost in slackening through the station.

If the leading companies offered a premium for the best method of applying horse-power on the rail, means would speedily be contrived, by which marvelously cheap communication might be incessantly kept up between the less important stations on the line. In America this kind of power has been used on canals and rivers with considerable success—perhaps, also, on railroads. The principle there adopted is

somewhat as follows :—The horse works inside his own carriage, a kind of stable on wheels. Strong endless parallel chains, connected by transverse pieces of wood or iron, and passing over rollers one somewhat higher than the other, form a roadway on which the horse is kept moving slowly on an incline, thus greatly aiding the drawing power by his own weight. One of these rollers is the axle of the driving wheels, which are turned rapidly, and the carriage driven at considerable speed. One horse might propel two or three carriages easily at sixteen miles an hour without going beyond a walk—and this would be quite enough for minor station traffic. It is evident that if the animal be whipped up to a trot, the wheels would be made to revolve with two or three times this speed ; on the other hand, not only may his being stopped enable the carriages to be brought to a stand almost instantaneously, by the aid of a break,—but by contriving a reverse action, so that in changing the gear the wheels should turn backward, the same power might be used in the opposite direction at a moment's notice. By this means the possibility of accident would be almost prevented. For if the small train so propelled be overtaken by a locomotive, the horse being whipped up would increase speed for a few moments, sufficiently for the engine to touch without concussion, when the horse may be stopped,—himself and his load being pushed on to the next chief station. So, also, if a small and large train meet, by any unavoidable chance—to put on the break, reverse the gear, remove the break, and run in the opposite direction in front of the locomotive as before, would be the work of a minute.

Notwithstanding all that can be said about accidents, it must be admitted that railway traffic has

hitherto been carried on with wonderful security to life. Thus in 1860, out of 163,435,678 passengers (47,894 of whom were season-ticket holders, reckoned as one each), 30 only lost their lives from causes beyond their own control (20 of these deaths were from two collisions), and 479 were injured; which is in the proportion of 18 per 100 millions, or 1 in  $5\frac{1}{2}$  millions passengers killed, and not quite 3 per 10 millions, or one in about 350,000 wounded. Yet this was a high rate, the average killed for a number of years being about one in eight millions.

The Returns of the Registrar-General show that the deaths by violence of all kinds average about one in 1250 per annum. Of course it would be incorrect to compare the risk of those exposed to danger for a short period with those so exposed during the entire year, but by a return with which I have been kindly furnished from the South-Western Railway, it appears that in 1860 the average payment of all passengers on that line was 1s. 9d., which would pay for a journey occupying about forty minutes, or the 13,000th part of a year. Now as one in  $5\frac{1}{2}$  millions of all railway passengers were killed in that year, it follows that supposing persons travelled without intermission day and night, the death-rate would be 1 in 420 per annum. In other words—according to the doctrine of chances, a person must thus travel incessantly for 420 years before his turn to be killed will arrive. The ordinary death-rate of the country by violence, as has been stated, is 1 in 1250; but as people are scarcely exposed to danger when quietly at home, or, in general, when sleeping, it would be fair to take the common exposure at eight hours a day. The average risk, then, by violent deaths, among all classes of the community, is about the same as among rail-

way passengers in proportion to the duration of their exposure. Calculated according to the same method (taking the risk at forty hours per week), the proportion of fatal accidents in collieries is seven times greater than in railways; yet casualties in mines are seldom heard of, except in such cases as Lund Hill and Risca. So, also, the deaths by burning (chiefly among infants) are one hundred times more numerous than by railways (it is difficult to estimate the period of risk, without which the proportion cannot be calculated), but it is only when actresses or noblemen's daughters are the victims that such horrors ring through the country. In like manner, volunteers and sportsmen are now and then accidentally shot; skaters are drowned; and sometimes persons are suffocated in their beds by poisonous vapours, or even crushed under falling buildings; but nobody thinks of abjuring his calling, his recreation, or his rest, because in every situation of life the risk of accident impends.\* Indeed, it would be almost as wise to refuse to live for fear of death by violence of some kind, as to abjure the use of railways for fear of a fatal result. The relative proportion of persons injured on railways, as compared with those by other accidents of some kind, serious or trifling, cannot be guessed at, but we may take for granted that every scratch is made the most of.

\* As to entering or leaving carriages in motion, it is evident that, were not this usually done by train attendants, the traffic could not be carried on; also, that after being brought to a stand a sudden jerk may occur. At every station, therefore, something like the following should be posted:—

“When about to enter or leave the train, face the direction in which it is moving, or about to move; then, when turned that way, place the foot on the side next the carriage first on the step; and, on alighting, bring the foot farthest from the train to the ground, prepared to lean backwards.”

Attention to this *habit* may be the means of saving life in case of accident.

Railway managers should have their due, as well as other offenders, whereas, in regard to compensation for accidents, they have been very hardly used. It appears monstrous that a sum of £13,000 could have been awarded to be given by a company to the family of one man, who had paid no higher fare than his fellow-passengers, because he happened to be wealthy. For that very reason, if he desired to insure a large compensation in case of death, he should pay a premium proportionate to such assurance. There is no justice, but clearly the contrary, in compelling shareholders to suffer for the accident of conveying a man of wealth, which the company could have no means of knowing or guarding against. If this state of things be not altered, companies must, in self-defence, either make a sliding scale of charges in proportion to the passenger's property, attested by declaration on the ticket issued, or decline altogether to carry wealthy men. Let the companies pay, by all means, but let the amount they pay bear some fair proportion to that they receive.

A system of insurance might be organized, the company being bound to deliver the passenger safely at a fixed rate, or pay a fixed amount as compensation, and to take insurance at a reasonable charge, for extra sums say one farthing per £1000, which is  $5\frac{1}{2}$  times the risk; as it has been seen that fatal accidents to passengers, under proper management, do not amount to one in  $5\frac{1}{2}$  millions.

If irregular excursions be discontinued, as they ought, it must be by making all regular trains practically excursions. The fares should be so low as to be a standing inducement to pleasure-seekers to use the road at every opportunity that may offer, not only during seasons of recreation, but whenever temporary

cessation of business might allow. Excursion fares have hitherto been lower than necessary for this purpose ; nevertheless, even these pay, as is proved by their being continued notwithstanding the disadvantage of extra expense in advertising, additional labour, etc. The mean to be aimed at should probably be something between the present excursion and ordinary third-class fares, the proportion being greater for short distances, and less as the mileage increases. One can now go to Brighton and back, on Sunday, 100 miles, for 2s. 6d. ; but suppose the opportunity were offered by every train, during the week, of taking the same journey for 5s., nobody, having inclination and time to spare, would be deterred from going by the expense ; and the cost of the extra excursion trains would be saved. The great body of the people never cease to seek recreation of some kind ; sensual pleasures are at present most easily procured ; nevertheless, were it within reach, travelling to see the country, or to visit distant friends, is even more seductive, and would be readily resorted to on all occasions were the temptation always present ; and the change would tend very much not only to the elevation of public morality, but to the improvement of railway dividends. On such a plan not pleasure-seekers alone, but business men of every kind, would oftener visit distant marts, travelling also between provincial towns and villages, as well as to and from important centres ; and trains being naturally more frequent, greater facilities would be offered to suburban residents.

At present, horses on some common roads can beat rail and steam. This is proved by the fact that numerous loaded vans are, during the summer, daily driven from Bristol to the little watering-places of Clevedon and Weston (distances of fourteen and twenty

miles), filled with excursionists, because the fares on the Bristol and Exeter Railway, which goes to both towns, are from sixpence to a shilling higher than the rates charged by these horse vans. Is it not strange that shrewd men should be able to invest capital in vans and horses for the purpose of carrying mere pleasure-seekers along the very line of railway and make it pay? It is evident that if this can be accomplished in one locality, it could in the neighbourhood of almost any line as at present conducted.

Considering the fact that the expenses of getting up steam and working a train are nearly the same whether the carriages be many or few, whether they be full or empty, and therefore that every additional sixpence received is almost all clear gain, it is remarkable that in this practical age the immense resources at the command of railway companies, from a profitable use of the land in their possession hitherto lying idle, can have so long been unperceived. Incalculable losses have been incurred by the construction of branch lines to unimportant towns, without any effort being made to obtain an increased population either in these towns and villages, or along the lines themselves. Hundreds of acres belonging to the companies have been turned into mere waste, which, converted into building ground, might have been, and might yet be, rendered highly profitable.\* Granting that there may be companies unwilling, or who have no power, to build houses for tenants merely as such, there is at any rate nothing to prevent them from providing cottages for their own servants, who might occupy these houses as part of their wages, and the men might be conveyed by early and late luggage trains, to and from the stations at which their services are

\* Also by the cultivation of fruit for market.

required, with scarcely any expense to the company. The effect would be that every servant would derive a benefit much greater than the difference of wage, which would be saved to the management. They would breathe pure air, and be enabled to purchase country produce, each of great value in the maintenance of health, and the provision for their families, whilst the shareholders might get a large percentage on the building capital, by the consequent deduction from salaries in lieu of rent.

Irrespective of peopling the companies' own land, the increase of population in the neighbourhood of each station ought to be assiduously encouraged. This might be done by the judicious application of the annual-ticket system. The citizen is carried three miles in an omnibus for sixpence. The railway might carry him thirty for the same money, within the same time. Is there any doubt which tens of thousands of sensible men would choose, provided that easy carriages were contrived and brought into use, and numerous trains to give choice of time provided? When it is considered, moreover, that according to the same proportion he might go ten miles for twopence, or five for a penny, can any limit be imagined to the number of country-living townsmen that might be produced? At present, the ticket almost equals a second rent, and when taken the labour of using it is so great that an escape from the journey is regarded as a holiday, and the experiment is often not renewed.

Annual tickets for ladies and children might be even more remunerative, in proportion, if charged at about a fourth or sixth of the rate of those for gentlemen, because they would probably not be used more than one-tenth as often on the average ;—nevertheless,



they are indispensable to the full development of home-passenger traffic.

The time occupied at the end of a journey by taking the tickets is a matter of frequent complaint with travellers to whom a few minutes is often of much importance, and it is sometimes remarked, that the adoption of the system prevailing in America, and indeed on some of the Manchester lines, of taking, and even selling, tickets by the guard during the journey, time would be gained, and the staff of the station clerks might be sensibly reduced.

There are many matters of detail well worthy the attention of directors desirous of promoting the comfort and convenience of passengers, with a view to the companies' interests. \* The care of luggage is a source of anxiety from which many would gladly be relieved. The company might easily take charge of it for a fee of 2*d.* per package, a receipt for which being handed to the passenger, the luggage might be delivered at its address in exchange for such receipt, and this might yield a considerable revenue to the company. The charge of 2*d.* for merely keeping a package, coat, or umbrella, is extortionate, and defeats its object.

Again, the building of comfortable hotels at leading stations and places of public resort—let at nominal rents, on condition that the tariff of charges be reasonable—would do much to encourage pleasure trips ; for the present exorbitant scale of hotel charges often prohibits travelling. These establishments, however, should be of moderate size, as when building is overdone, all other expenses being increased in proportion, failure must result, which tends to repress experiments in the same direction elsewhere.

It may be thought hopeless to expect any great reform in railway management without a considerable

alteration in the composition of Boards of Directors, who are too often chosen apparently for no other reason than that their manifold engagements of a public or private nature (*e.g.* as members of Parliament or heads of large mercantile establishments) must of necessity prevent their giving any real attention to the companies' concerns, which must therefore be almost entirely left to traffic-managers, engineers, and secretaries. Surely three or five respectable men of business, with an efficient working staff, would conduct the traffic to much better purpose. They should devote their whole time and be well paid for their services, subject—in common with the leading men of the staff—to fines, limited to one-third of their salaries, for all compensations for accidents; so as to render them personally and pecuniarily responsible. At all events I think it must be concluded that any substantial improvement in railway property must be looked for from more responsible management; from diminished traffic expenses, and wear and tear; from legislative justice between the proprietor and the passenger; from reasonable, without unreasonably cheap, fares; and—the essential point—from security of comfort to the traveller; which may encourage a large increase in pleasure-seeking, as well as business journeys, and also in regular home traffic for residents within many considerable *radii* of every large town.

## ON PRESENCE OF MIND IN EMERGENCY.

(*The Birkbeck Institute*, 1876).

PRESENCE of mind, or self-command in the midst of danger, is a most important faculty—a faculty which deserves attentive cultivation on account of the momentous consequences which often depend on its possession or absence. The ability to decide in an instant what should be done in cases of accident and pressing emergency has been the means of preserving numerous lives, and preventing many calamities, which would otherwise have been of shocking extent ; and the want of this power has from time to time involved the sacrifice of thousands of human beings.

Presence of mind implies that the person exercising it is possessed of the ability to think in the midst of danger, coolness to judge of the suggestions thus offered on the instant, and courage to act without flinching in conformity with this rapid judgment.

Its absence, on the other hand, leaves the person who may be threatened with imminent danger in a state of helpless stupor, unable to avail himself of the most palpable means of self-preservation ; and often, through fear, impels unreflecting people into a state of panic, under the influence of which they impetuously rush on certain destruction, when no real cause for alarm originally existed. Cases of this latter kind have so frequently happened of late, and such lamentable public results have been the consequence,

that it may be profitable to examine into some of the causes of this unfortunate state of things, with a view of suggesting the manner in which these so-called unaccountable calamities might be averted.

The general power of self-command is capable of being educated and improved to a considerable extent, like all other faculties. Therefore it should form part of the education of young persons of both sexes, that under all circumstances, and at all periods of their existence, they are liable to dangers of various kinds. Such as are commonly experienced among the several advantages and comforts of civilized life should be clearly pointed out ; and the proper methods of acting to avert these dangers, when threatened, impressed upon the pupil. Accidents which are in their nature so peculiar as not to be anticipated are rare ; but even these may, perchance, be ameliorated or averted by one accustomed to the idea of meeting such as are of ordinary occurrence—by persons, that is to say, who have been brought up to despise the silliness of being frightened, and giving way to alarm at every unusual incident ; whilst children, women, and men who are nursed in ignorance of everything in the world but those things which minister to their wants or enjoyments—without a thought of self-reliance or independent action, either under ordinary circumstances or in emergency—will yield themselves up, as it were, willing victims to the most trivial fright or the slightest unusual occurrence.

Perhaps the kind of danger to which we are most liable is that arising from fire. Light and artificial heat being necessary to the comfort and well-being of mankind in our climate, every dwelling contains a constant source of danger, ready to burst forth as the result of a very small degree of carelessness, or unavoidable

mischance. Under these circumstances, ordinary prudence would dictate the desirability of all persons considering the very easy possibility of their being placed in the condition, in which the lives and property of themselves, and others, may depend on individual coolness and energy. One moment's self-possession may frequently save a terrible calamity; one moment's hesitation, or excess of alarm, as easily insure the occurrence of such calamity.

When a room is discovered to be on fire, the first impulse with those who are frightened is to run; but it is evident that observation is the first duty—see if prompt action might not extinguish the flames before they attain the mastery. The alarm can generally be given in the midst of action. The escape of all within the dwelling being provided over, think what water is at hand, where assistance can be most readily procured, and how the means can be best applied. A very small quantity of water, thrown on a burning mass, by being converted into steam, will often extinguish a fire at its commencement. The exclusion of air is almost as important as the introduction of water. If, therefore, it be necessary to leave an ignited room, be careful to shut the door, not wildly rush away leaving it open, as is frequently done, by which air is admitted to feed the flames, and the way is left open for their free extension to the rooms and passages adjoining.

A coal-pit was once on fire in which the celebrated George Stephenson, then a labouring man, was at work. Taking a shovel full of earth, he called on his fellow-labourers to follow his example, and in this manner a bank was speedily formed a short distance in advance of the flames, which, by excluding the air, effectually extinguished the fire, so that the lives of

all were saved by the energy and intelligence of one master mind. Happily, since the invention of the safety lamp, colliery explosions need never occur except as the result of the most culpable negligence.

To return to the burning house. When water is brought, the door being shut, knock out a panel to reconnoitre, through which the water may be poured should it be undesirable to enter the room. In this way, supposing the fire to be at the top of the building, it may be perhaps prevented from extending downwards, as flame has a tendency to ascend, and is always fiercest upwards. For the same reason, should it be a lower apartment on fire, deluge the floor above as thoroughly as possible, so as to soak the ceiling of the burning room, and cause it to rain down upon the flames. If the stairs be on fire, and it be necessary to rush through the flames, the body should be enveloped in a blanket, as wool will not easily ignite; but if the stairs are burnt, so that communication downwards is cut off before persons at the top are aware of the fire, concentrate all efforts on escape by the roof, supposing the means exist; for which purpose one of Myle's fire-escape ladders should be kept near the trap-door. In towns every roof should have such an opening, and means provided for passing from roof to roof; but if, unhappily, there be no means of escape above, shut the doors of the top rooms inside; throw out beds and mattresses from the windows, to fall on; and make ropes of the sheets and blankets, which should be cut in strips about a foot wide with some instrument always kept at hand, by which, in the absence of ladders, women and children may be let down (a purchase being obtained by pushing the bedstead to the window, and passing the rope round one of the legs), and men may afterwards slide

down by the same means. Persons outside should place the beds, etc., or straw, so as best to catch the falling inmates, and erect ladders to meet ropes which may be too short. From the neglect of these active precautionary measures, a whole family was recently burnt. They trusted solely to the fire-escapes, but, before these could be made available, the flames rushing from the windows prevented their use. Should it be necessary to enter burning rooms, to rescue persons or property within, first draw a deep breath, retaining it as long and expiring as slowly as possible when compelled ; and proceed with firmness and caution rather than hurry, crawling along the floor as much as practicable, to escape the smoke, which always ascends. On such occasions clamour is always mischievous. One director is better than a dozen. Diversity of advice bewilders the timid, and life is often sacrificed to perplexity thus produced.

Were it the practice to place balconies outside the upper windows, especially of lofty houses, a sure means of refuge would be afforded, and sad sacrifices of life often prevented ; and it has been suggested that, to prevent the abuse of such means of access from house to house, fulminating balls might be placed on the hinge or lock, which should explode with a loud noise on sufficient force being applied to open the gate, so as to alarm the neighbourhood. This, in case of fire, would be an additional advantage.

The most provoking calamities caused by fire are the burning of women by the ignition of their dress. I say the most provoking, because they are needless. Not only is the liability to this mischance very largely increased by the absurd dimensions of the dresses worn by ladies, and the flimsy nature of the material of which they are composed ; not only may the risk

be totally destroyed by dipping the dresses in a solution of alum before they are got up, which will prevent their ignition ; but there is positively no reason why a woman whose dress has caught fire under any circumstances should be burnt, did she but know *how* to act, and had presence of mind *so* to act ; remembering only that fire cannot exist without air, and that heat ascends. The person has only to lie down and roll, to prevent all bad consequences beyond the loss of the dress. The parts next the ground cannot burn. Who does not know that to light one candle from another, placing the wick in the bottom of the flame, is difficult ; but present it at the top of the flame it lights instantly, as the heat is concentrated at its apex. The burning of the dress on the upper part of a prostrate person, furthest from the ground, will therefore be comparatively harmless, even were such person still. In rolling, however, each part, being under in succession, must be also extinguished in succession.

The proprietor of a large muslin warehouse, when one night alone, accidentally dropped his light, and ignited a loose piece of this inflammable material. One moment's hesitation and the whole building would have been on fire. He threw himself prostrate on the flame, and instantly extinguished it.

Now, in the case of actresses taking fire at the footlights, as well as of the several unfortunate ladies who have suffered in this manner, the uncontrollable impulse is to run about screaming, feeding the flames as much as possible by an artificial draught of air ; whilst the persons attempting to render assistance appear to think of nothing but adding fuel, in the shape of sheets, table-cloths, and so on, thrown over the sufferer : instead of tripping her up, in the first



place, which may be done with the foot ; and afterwards proceeding to extinguish the flames, by rolling the body over. Not long since, the husband of a lady on fire threw her down, to prevent her running, and said he managed to put out the flames, "he knew not how." But this was the very *explanation*. He could not well help extinguishing them when she was on the floor ; had he prevented her moving, by holding her in an upright position, she would have been most assuredly burnt to death. Another woman on fire obtained credit for presence of mind because she held up her arms out of the flames, calling for mats. What was the result ? Just what might have been expected—the concentrated heat of the rising flames caused the uplifted arms to be burnt more than any other part of the body ; and she died in consequence. Young girls should early be impressed with the necessity of promptly throwing themselves on the floor, in case of such an accident befalling them.

The most terrible calamities by fire are such as occur at sea, where a crowd of persons seem to have no chance of escape between the devouring element above and the waves below. Yet, under such fearful circumstances, calm presence of mind has frequently been instrumental in saving an entire crew ; while panic speedily renders death inevitable. A sad instance of the latter kind will be fresh in the recollection of all—viz. the German steamship *Austria*, on board which self-command was entirely lost almost immediately on the breaking out of the flames. The head of the vessel was not kept before the wind, consequently the fire rapidly extended to the whole of the ship ; the boats, which would have taken all on board if coolly handled and properly filled, were nearly all swamped ; and thus, although succour was near at

hand, and not one soul need have been sacrificed, only sixty lives were saved out of near six hundred passengers and crew.

Contrast with this the cool courage and discipline displayed on board the English ships *Sarah Sands* and *Eastern City*, and mark the result which attended such noble conduct in each case. The steadiness and daring of the troops in the *Sarah Sands* (every cask of powder having been removed from the magazine at great personal risk) caused the fire to be extinguished, and enabled the captain to bring the disabled vessel safely into the nearest port. In the *Eastern City*, the undaunted courage of her commander, though the flames could not be mastered, gave time for the careful preparation and arrangement of every available means of escape; when the appearance of the *Merchantman* offered a refuge for all on board.

Some fifty years ago a memorable instance occurred off the coast of Scotland, of an entire crew being saved by the cool presence of mind, and almost superhuman fortitude, of a single man. The *Ocean Monarch* being in flames near the shore, one chance was offered by the skill, devotion, and courage of the pilot at the helm, who knew that, if a certain point could be reached in time, the ship might be run aground, so that the crew and passengers might escape. Steadily he maintained his post, whilst the wind—produced by the fearful rapidity with which the engines propelled the vessel through the water—carried the heat towards him with greater intensity every moment. All the rest were crowding at the bows; though some of the sailors vainly endeavoured to throw water over the hero of the scene. Firmly did William Maxwell stand to be roasted, until the beach was gained and all were safe; when he jumped into the water, leaving the

soles of his feet and the palms of his hands (which had peeled off) sticking to the burning mass ; thus nobly gaining for himself a name which will never be forgotten. He might have saved himself by swimming ; but preferred to risk his life, and to bear the torture, that those who could not swim might not be lost.

A boiler explosion once occurred on board the *St. Nicholas*, an American river steamer, which was thereby set on fire on the passage from New Orleans to St. Louis. A young lady, Miss Kennedy, who had been forced into the river, laid hold of a ring when floating past the burning hull. To this she held, barely keeping her face above water ; whilst the hair and skin of her head were both singed off, and her hand was burnt to a crisp. Yet, under these agonizing circumstances, her fortitude and presence of mind were so great that, with her disengaged hand, she caught a drowning man by his hair, and sustained him until a skiff arrived to the rescue of both. Not long ago, from a lack of similar fortitude in the endurance of pain, the keeper of a fire-escape, which had become ignited, fell to the ground with a woman and child in his arms, breaking his own leg and killing the child.

These accidents at sea teach the importance of all persons being used to the water. The invention of life-buoys, etc., have seemingly rendered this of less consequence than formerly ; still it is highly desirable that persons should accustom themselves at least to be sustained in water without alarm. This may be done without learning to swim—nay, even without practice—if, when first immersed, it were possible to be entirely divested of fear. The human body is lighter than fresh, and considerably lighter than salt, water. If, then, any person will lie steadily on the back, with

arms and hands under the surface, inflating the chest as usual, the body will float, and the head rise sufficiently to keep the face above water; and a slight movement of the open hands downwards, raising them edgeways and lowering them flat, will assist the upward tendency of the body. On the other hand, raising the arms above the surface increases their weight, by the pressure of the air on the surfaces of the exposed limbs; whilst struggling at the same time agitates the water, thus driving it in waves into the mouth, ears, and nostrils; and the body must rapidly sink. If an oar, or any smaller piece of wood, be within reach, it may, by being held under the neck, materially assist to sustain the head above water.

Deep breathing, however, is almost the "one thing needful" in floating or swimming. Persons should therefore, above all things, acquire the power of rapidly inhaling a large quantity of air, and of suspending expiration.

There are numerous instances recorded of wonderful escapes from imminent danger by presence of mind. As, for example, an expert swimmer saving himself from the jaws of a shark, by facing the enemy, and diving whenever the monster turned on his back to make the fatal gripe; thus dodging and keeping him at bay, until the arrival of a boat enabled the intended victim to make a secure retreat. This man was guided by the knowledge that the shark, although swimming on the belly, is, from the peculiar formation of the mouth, obliged to turn over on his back in order to seize his prey.

In another case, an unarmed man, formerly employed in making surveys for an Indian railroad, was attacked by a full-grown leopard. Death would have appeared inevitable, but courage and judgment gave

him the advantage: he grappled with the savage beast, and, at the moment when the huge jaws were opened to despatch him, thrust his arm into the brute's throat, clutching the root of its tongue with a vicelike grasp; and thereby causing so much pain that, as soon as loss of strength forced him to relax his hold, the animal slunk howling away.

During the late Russian war, a shell *with its lighted fuse* fell on the deck of a British ship in the Baltic. A young midshipman seized it in his hands, and threw it over the side into the water—a harmless ball, which one instant left alone would have scattered death and destruction on all sides. This noble promptitude, having been published through Europe, was afterwards imitated, on more than one occasion, in the trenches before Sebastopol.

On one occasion an inspector went down to look at a mine unobserved by the men. Returning from the lower to an upper level, he found the miners absent. Not knowing he was there, they had prepared for a blast, and retired to fire the train. The truth flashed on him as his eye fell on the lighted match. One moment's shrinking or hesitation would have sent him to eternity. Darting forward, however, he seized the burning brand ere its flame had reached the powder, and hurled it down the shaft.

We may be sure that man will never again pass the miners without acquainting them with his presence.

There is a beautiful instance on record of maternal instinctive presence of mind. Near the sea-shore a little child, not a year old, had toddled off, unobserved, to the verge of an overhanging cliff. The mother turned and saw the danger. Had she screamed or run forward, the infant would have continued its course from her, either in playfulness or alarm. She

hastily bared her breast, stooped down with extended arms, and gently called the child. It ran towards her, of course, and she was just able to clasp it to her bosom—saved—ere she fainted.

The most fearful consequences of senseless panic—because attended with great loss of life—which have occurred in our time, on *land*, have been produced at some of our public buildings and places of amusement. Among these instances are the catastrophes at the Surrey Music Hall, the Sheffield Concert Room, and the Victoria Theatre ; and it is not a little singular that at each of these places the panic was the result of a false alarm. In the first case a noise was heard which some persons imagined, and therefore without hesitation proclaimed, to be the falling of a gallery. There was not the slightest ground for the idea, nevertheless a general panic was speedily communicated throughout the building, and at once, as if a pack of wolves had sprung upon a sheepfold, almost every individual among the assembled thousands, carried away by a frantic excitement, commenced to provide, as he thought, for his own personal safety, with such an insane intensity as to preclude the possibility of escape for the great majority, supposing the danger really to have existed. Every doorway became choked with a concatenation of living wedges, each separately driven by the mallet of his own selfish love of life. Youths, women, and children were crushed, smothered, thrown over banisters, trampled underfoot, and killed, and all for nothing. The terrific struggle lasted for an hour, whereas the building was capable of having been cleared in a few minutes.

“What!” some of these panic-stricken worthies might say, “suppose the building to be really falling, would you have us quietly and voluntarily sit

still to be buried in the ruins?" Certainly I would, when, by so doing, you render your own death not a whit more speedy, but a great deal less so, whilst aiding the escape of hundreds. In such a case of alarm, however well founded, the first consideration with a sensible man would be, that calmness and self-possession afford the only chance. Those near the places of exit may indeed walk out as quickly as possible, each taking especial care to wait till all before have gone, and the way is clear. They who are further removed, by summoning sense, as well as courage, will perceive that a little patience will bring their opportunity of escape very much sooner than any ill-judged haste, which must, indeed, prevent their chance arriving at all, whilst preventing those whose time is come from taking advantage of it. As conducing to this calm fortitude, as well in each individual as on the general assembly, strict *silence* should be observed. Noise not only excites fear in others, and in those who produce it, but prevents any directions being effectually given by persons better aware of the danger, and of the best means of precaution; or even the announcement that the alarm is false in the numerous instances when such is the fact.

At the Sheffield Concert Room a similar panic was produced, according to several witnesses, by the firing of a pistol by some diabolical rascal among the audience; but others thought the report was that of a gas explosion. Whatever the cause, there was no real ground for alarm; and had the people retained the quiet possession of their senses, they would soon have been made to understand that there was nothing to fear. The crowd, however, immediately lost all self-command, and the same wild insanity of demeanour ensued as in the Surrey congregation, quickly followed

by a similar catalogue of victims, maimed, mangled, and crushed to death.

So, again, at the Victoria Theatre a causeless cry of fire, among the occupants of the gallery, created a despairing rush down the narrow staircase, broken by angular windings, in the corners of which many persons were suffocated, whilst others were pressed against the iron balustrades, or thrown headlong over, so that fifteen young persons lost their lives, besides broken limbs and injuries of every description. Something of the same sort happened not long since in a church.

Now, it would be impossible to admit that the mass of these several collections of people had received a commonly decent education, such an education as would secure the proper development of their common faculties, or they could not be thus easily, and literally, frightened out of their lives.

A large share of the culpability attaching to the persons having charge of public buildings, in which such terrible misfortunes have occurred, is attributable to architects, who erect edifices of every description without reference to these contingencies, and therefore affording no adequate escape for the thousands periodically assembled within the walls. A few narrow doorways, because sufficient to admit the entrance of large masses one by one, are the only means provided for the rapid exit of the same masses all pouring out in a body.

Thus considerable inconvenience is experienced whenever the building is used by a crowded audience; whilst on occasions of alarm, such as have been described, a large sacrifice of life becomes, in the present state of popular education, almost inevitable.

These architectural blunders are so common that examples will occur to every one. Theatres, concert



halls, assembly rooms, churches, and chapels are alike constructed with this disregard for the safety of the persons accommodated within. A theatre is placed in the centre of a mass of buildings, narrow and intricate passages only communicating with the outer air. A concert hall or assembly room is perched on the top of a lofty range of buildings, and having one or two doors only, approached by a common staircase; as, for example, Exeter Hall, the London Tavern, Bridge House Hotel, etc. A particular church occurs to me at which people from one broad centre aisle, two side aisles, and two galleries, all meet together to be discharged from a single doorway, which is the only opening into the street. Imagine such a place on fire. This one door would probably become at once choked by the rush of people, preventing alike their own egress, and the entrance of all succour from without, and in that case the bulk of the congregation must remain to be burnt without the slightest chance of escape.

It is palpable that places of meeting for large numbers should be on the ground; that all galleries should be approached by external staircases; and abundance of room for hasty exit afforded. Small rooms and offices in connection with the larger should not be under—as at Exeter Hall and the taverns above mentioned—but above or at the end of the main building. It may be doubted whether it be not practicable to construct the sides of the building so that the entire assemblage may, in cases of emergency, escape almost simultaneously. It has been suggested that the lower walls of a church, for instance, might be composed of arches, which should be filled in by large double iron doors, opening outwards, overlapping each other, and bolted on the inside, so that no

amount of external pressure would force them inwards, although a very slight internal pressure would force them outwards. These, indeed, might be placed under every window of an existing building, without materially weakening the edifice. By means of paper internally, and cement externally, these doors may have all the appearance of stone walls, and yet, in case of danger or panic, the whole congregation might obtain immediate egress.

Many occasions occur of a less appalling nature than those hitherto mentioned, when presence of mind is, nevertheless, of manifest importance.

Persons are liable to assaults from thieves, as highwaymen, for instance, or burglars, when preservation of life and property may very much depend on firmness and discretion—having one's wits about one, as it is called. These are not occasions which will admit of preparation by way of instruction, as no one can anticipate the particular circumstances of the attack; but there are numerous well-known anecdotes on record of successful resistance to assaults of this kind, by dint of tact and resolution.

There are accidents of various kinds which require cool judgment on the part of those who may be able to render assistance. Much mischief is sometimes occasioned by ignorance and misguided zeal. This is particularly so in the case of fractured limbs. A leg or arm may be broken by a fall, but many persons will hurriedly lift the prostrate body, without waiting to inquire whether any, and what, injury has been sustained. Thus a broken arm may be seized, and rendered incapable of being set, in a moment, and the simple fracture of a leg made compound, as it is termed, (*i.e.* when the two portions of broken bone are violently separated so as sometimes to protrude

through the skin), by raising the upper part of the body from the ground, and making a lever of the injured limb, which must immediately bend and separate. Now, a simple fracture is easily set and cured; but to reduce a compound fracture is often a very difficult operation, attended with a great deal of pain and danger to the patient. The bones are much more easily broken in adult life than during youth. Men and women, therefore, who may have reason to suspect the possibility of a catastrophe of this kind, should neither attempt to rise themselves, nor be lifted by others, until they are satisfied that no such injury has been sustained; and if there should have been, the only wise course is to remain quietly on the ground until the arrival of a stretcher or shutter, on which the sufferer should be shifted with great care, and taken to the nearest hospital or house, at which he may be attended by a surgeon. A broken bone may then be set without difficulty, and the patient be immediately after removed to his own home with safety, and speedily recover, when, under less considerate treatment, even if life were not sacrificed, the limb may have been lost or deformed for the remainder of his days.

Severe burns or scalds require very prompt alleviation. A method often resorted to is to dredge the injured parts with flour. Plunging *and keeping* them in cold water is better; or to apply treacle is an excellent remedy, as well for burns and scalds as bruises.

As to the causes of these mischances, many are unavoidable. In towns, street accidents are frequently occasioned by sheer carelessness; but they are still oftener the result of unnecessary fright, especially in women, who may be not unfrequently seen to

wait before crossing a road, whilst dozens of people pass quietly over in safety ; and at last, making an inopportune rush, catch sight of some approaching carriage when halfway over, hesitate, and finally run back just in time to be knocked down by a second vehicle, before unseen. Under precisely such circumstances, I have seen a woman save her life by a vigorous roll over on the ground, which enabled her only just to clear the wheels of an omnibus. Ladies should learn that a crowded thoroughfare ought never to be crossed without deliberation, at a walking pace. A number of carriages moving slowly are less dangerous than one approaching rapidly, although appearing to be at a safe distance. If unable to get over before such a vehicle, by no means run back, but remain steadily in the middle till it has passed on.

Even in railway accidents advantage may sometimes be gained by cool and prompt action. Where, for instance, there be any notice of an impending upset or collision, it would be prudent to lie down at the bottom of the carriage. Omnibus riders will find it a good rule to get out backwards ; in which case, should the horses make a sudden start forward, there will be no danger of falling, as the impetus is with the carriage, not in an opposite direction. For the same reason, it is better to get in whilst the omnibus is in motion, rather than wait till it has quite stopped, for then the start is avoided, which, otherwise, always takes place before the lady is seated, and very generally throws her off her balance upon the other passengers.

In stepping on or off a moving railway carriage, or a steamboat also, be careful to move in the same direction *with* the train or vessel. The neglect to

observe the effect of so palpable a law of motion has often caused persons to fall into the water or under the wheels.\*

Where danger is occasioned by collections of foul air at the bottom of a well or unused vat, further mischief is sometimes caused by the descent of others to the assistance of the fainting person, without suspecting the reason of the mischance, and therefore taking no steps to dispel the evil. The first thing to be done in every such misfortune, is to obtain and throw a bucket or two of water against the sides of the well. If some lime be stirred in the water, so much the better: but it should be just allowed to settle, so that no clots be thrown on the person below, but only as much lime as can be suspended in the water; and time should not be lost in waiting to fetch it, if the lime be not at hand. Even the repeated lowering of an empty bucket, rapidly drawing it up and turning it over away from the mouth of the well, will be advantageous; as the foul air, being heavier than common air, will readily pass out of the bucket, whilst a draught will be created in the well, and pure air rush in to replace that which has been extracted. These measures will most effectually bring succour to the person below, by driving out or purifying the foul air, and afterwards allow another to descend in comparative safety. Such second person should, however, always take the precaution of tying a rope round himself, and carry another rope with him to place round the prostrate body as quickly as possible; or if he cannot readily do this, clasp it tightly in his arms, when both may be drawn to the surface without loss of time, by those remaining at the top.

A remarkable case of well-directed energy, intelli-

\* See Note, p. 244.

gence, and humanity, recently occurred at Wareham. Two men were blocked up in a tunnel by the falling in of a clay-pit, on a Monday afternoon, and choke-damp emerging from the sides, prevented the workmen without from going down. Mr. Pike, who was the proprietor, on learning the mischance, hastened to the spot, and after procuring some large bellows to blow air into the pit through a flexible tube, he directed the men, two of whom only could work at a time, relieving each other. They were partly guided in their operations by the tappings of the prisoners below, who fortunately had a little food with them. Thus they continued labouring without intermission until the following Friday morning (eighty-six hours in all), when their efforts were crowned with success, and the men brought out alive, Mr. Pike himself bringing each up in his arms, amid the solemn silence of an assembled multitude, too much overcome with prolonged excitement for audible emotion.

There is one other cause of fear, or rather imaginary cause, to be noticed, which has frequently led to terrible consequences, but which is really more causeless than any yet mentioned, because entirely superstitious; I allude to the fancied visions of supernatural spirits or ghosts. The ghost-stories which have been recorded, and the truth of which has readily passed current among the ignorant of all ages, would fill many volumes. If any sensible people ever believed the truth of these narratives—in the reality, that is to say, of the appearances they profess to relate—it has been in times far less enlightened than our own. And yet the amount of terror these tales have inspired is truly wonderful. That tricks and practical jokes have been frequently played off for the purpose of imposing on the credulous, is undoubtedly

true ; and in times of tyranny and civil war, secret passages in the walls of dingy old castles were often made use of as a powerful means of self-protection, and for the concealment of fugitives from oppression. In such times a haunted house, in which the custom of dragging a chain in the vicinity of the chamber occupied by a stranger was periodically observed, was exceedingly valuable ; and the sighing of the wind among the tapestry of an ancient chamber, readily admitted through chinks and crevices, often allowed to remain for this purpose in the decaying walls, added not a little towards the maintenance of power by the lord of the mansion, especially after some mysterious tales of historical midnight adventures, or some legend of iniquity in connection with a departed ancestor, with which the inmates, especially the servants, were sure to be well charged. Without much trouble to the owner, such stories were easily kept on foot from one generation to another. These practices, and their use, are well illustrated by Sir Walter Scott in his novel of "Woodstock."

Imitating the example of their betters, country bumpkins have set whole counties in a ferment by walking through a secluded churchyard with a sheet over their shoulders. And among the middle classes scientific knowledge has been aforetime prostituted to the production of magical illusions, *e.g.* by means of phosphorus, magic lanterns, setting up skeletons before a strong light, etc., to frighten silly people for the so-called amusement of the operator ; but which amusements have sometimes ended in very serious consequences, producing death, or in other cases hopeless imbecility, in the persons ("distilled to jelly by the act of fear") who have been subjected to this kind of practical joking.

It is evident that such consequences, when produced, have been chiefly the result of vicious education in relation to these matters. Nurses have repeated their "old wives' fables" as being possible in the natural or supernatural course of things, but nevertheless as objects of terror. If the young were taught that such appearances were common, natural, and harmless ; or that they were impossible, except as the result of trick, joke, or imposture, and therefore equally harmless ; if, I say, either of these ideas were early and frequently impressed upon the mind, the appearances themselves would cause no alarm, and thus fail to create amusement. It is in this, as in all other kinds of unnecessary fear, the absence of knowledge, either that there is in reality no danger, or in what precisely the danger (if any) consists, which produces the evil ; and a convincing illustration that this is the case is afforded in the daily experience of all. Suppose a person of ripe age accidentally to meet with a dead body without ever having heard of death or man's inevitable decease, we cannot imagine any circumstance which would be more calculated to inspire alarm and horror ; but, as we are from early childhood taught that all must die, the period being uncertain, and are constantly reminded of the fact, and made familiar with the reality by the decease of friends, neighbours, and countrymen, however natural it may be to feel impressed with an indefinable awe at the sight, especially the first sight, of a dead body, no person ever dreams of being frightened thereby. The moment, however, that darkness supervenes, and brings the imagination into play, those who have been so educated to credit the possibility of spiritual horrors, immediately become the senseless subjects of alarm.



When, then, we consider that the deplorable accidents and fatalities, which are so frequently brought before the public observation, are due, in a very large proportion of instances, to foolish panic, cowardly alarm, want of common foresight and sensible education, it surely becomes apparent of what importance it is that young people should early be instructed in the idea of danger, how to meet difficulties—to be able to collect their thoughts so as to be ready to act in emergencies ; that they should not be for ever leaning on the judgment and assistance of elders and superiors, but learn the value of self-reliance, so that they be not only able to elbow their way among the eager crowd, pressing forward in the race for worldly honour and distinction ; and not only be prepared to resist with firmness the various temptations which must beset them ; but prepared to buffet with the waves of chance, and stand against the sudden storm of accident, at whatever time and from whatever quarter it may approach.

## A PEEP AT THE RHINE, 1881.

HAVING some business at Cologne recently, I visited Germany, for the first time in my life, in the third month of my grand climacteric. Though not an agriculturist, I have lived long in the country, and am acquainted with farmers in more counties than one. "Dilapidated Husbandry" has engrossed much attention of late in England, and I was therefore greatly interested in observing some of the German and Belgian methods of cultivation, as compared with our own. Very forcibly I was struck, in passing through the country, at the extreme cleanliness, so to speak, and economy, of the foreign management. Every blade of grass appears to be utilized. There is no rank vegetation left to be cut down by the winter frost, but the fields are cut or fed as closely as the garden lawns in England. Not a waste corner to be seen. The cattle are commonly tethered and tended, and this secures the biting down of every inch. The people, working in gangs, also appear much more assiduous and interested over their occupations, their eyes bent on the ground, their bodies stooping, and their hands literally dragging, as it were, the crop or the weeds out of the ground, with every indication of intense earnestness. I noticed men and women, too, who did not rise or lift their eyes to look at the train as it passed them. It forms a perfect contrast to the

apathetic devil-may-care manner in which much of the labourer's work in England is commonly performed. The men earn from 7s. to 8s. a week wages, and work longer hours than Englishmen. Potatoes about Coblenz were worth about 2s. per cwt., such as were then selling in England at 6s.

The common use of oxen and cows for ploughing and draught in Germany is another point of difference. On the top of the Niederwald I saw a cow bringing down a heavy load of potatoes with ease, such as no horse could have done. The strong wooden shafts fastened to the animal's horns enable it, by simply elevating its head, to keep back the load on the steepest incline ; whilst on the level or ascending the hill, the nose goes close to the ground, plodding forward with sure and steady pace. Altogether it struck me that a trip up the Rhine could not but be beneficial to many a British farmer.

Another animal much utilized abroad is the dog, which our "Grandmotherly Government" forbids a poor man to help him in his labour. In Antwerp I saw eight dogs abreast, drawing with infinite zest, as it seemed, a full-sized cart. Each dog evidently did its utmost ; and the ready docility with which they followed the man, who walked before, down narrow turnings at right angles, etc., showed that considerable practice and training must have been experienced ; but there was not the slightest indication of lameness, pain, or want of will, in any one of them, nor was any whip required to keep each to his fair share of work. At Johannisberg, I walked some distance alongside a small loaded wagon drawn by a tolerable-sized mastiff bitch. Some of the road was sandy, and on an upward incline, but there was no sign of flagging ; and in response to the owner's frequent caresses there

was much licking and display of affection, especially when he sometimes helped by pulling at a trace. On my return, the same animal was seen out of the shafts, hunting and sniffing about the land with all the eagerness of a hound long confined to the kennel.

I had three days from Cologne to devote to the Rhine scenery, and followed a programme furnished me by a German friend. Leaving at 9.15 by rail for Bonn, I there visited the Hofgarten, Altengall, etc., with the monuments of Arndt and Beethoven; next went forward at 12.40 to Godesberg, and walked up to the ruin, 280 feet above the Rhine, and ascended the tower, up 158 steps (about a hundred feet), from whence there is a splendid view of mountain, wood, and river. The number of persons who had immortalized themselves by cutting or writing their names on the walls amused me, more particularly as I recognized one out-of-the-way name of an old friend I have not seen for thirty or forty years, and who may not now be living. Departing for Mehlem at 2.40, I there crossed the Rhine, by flying bridge, and at once ascended the Drachenfels on foot, resisting the pressing offer of donkey assistance, and succeeded in reaching the top (1050 feet) in forty minutes. Here another magnificent prospect; and then down, at a somewhat more tripping pace, to the boat at Königswinter, at 4.30, for Rolandseck. There I walked up the incline to the tower and ruin, five hundred feet, I should guess, but was not informed. Issuing from the wood at the top, I found the land in full cultivation; and there witnessed, to me, a remarkable sight. A flock of several score sheep were feeding in charge of a herdsman. I saw no dog. As I passed by, a word of command was given from the side opposite, and instantly about two dozen of the animals that had

been facing outwards, that is towards me (going beyond the limit probably), jumped smartly to the right-about, with one accord, just as a company of soldiers might have done. There remained light enough to admire the third Rhine panorama for the day; but dusk was by this time coming on, when I descended from the ruin, by apparently endless flights of almost perpendicular steps, at once high and half filled up by crumbings from the soil—a somewhat dangerous undertaking in the twilight, for a stranger not quite so fresh as in the morning. The authorities, I thought, might do well to keep these steps cleansed, if there be any such as desire to save visitors from untoward accidents. When, thankfully, at the bottom, I gladly found the station for Remagen, where I turned in for the night.

Next morning, I walked up to the Appolinaris church—hearing on the way some singing in another church, to a small organ most vilely out of tune—and departed at 8.50 for Capellan, above which stands the Empress's Castle of Stolzenfels, from which I enjoyed another splendid outlook, and then mounted through innumerable windings to the top of the mountain behind, nearly a thousand feet, I should fancy. At all events the descent occupied twenty minutes, although I hurried down as fast as possible, running a good bit of the way, because I had elected to walk (this was going back) to Coblenz, which I was told would occupy an hour, to take the boat, instead of crossing to Lahnstein, which did not seem, as seen from Stolzenfels, to be worth visiting during the short time at my disposal. The distance to Coblenz, however, I found greater than I anticipated, so that the boat was gone when I reached the pier, and I was relegated to the rail at 2.30, for Rudesheim. This turned out

a fortunate mishap, for, the rail beating the boat, I arrived at my destination at 4.30, in time to ascend the Niederwald, to inspect the monument built by the Emperor in memory of those Germans who fell in the war with France, and which I was told can be seen from the frontier. Darkness had arrived ere I once more attained the river bank, and found my hotel.

On the morning of the third day, when, according to my programme, I was to have ascended the Niederwald, a thick fog prevented a sight of the hills on either side. I therefore walked out to Johannisberg, to the castle or mansion built in 1846, I think, by Prince Metternich, and back in time for the boat at eleven for Cologne, where I duly landed at 6.30, having perambulated the deck the entire time, anxious to catch each varying scene—castle, gorge, glen, vineyard, and mountain photographed by the eye at every turn. This was a lengthened feast for memory during the rest of life; compared with which the most luxuriant viands in the cabin had small attractions for me. There were several English and Americans on board, and plenty of agreeable conversation. One German American was particularly struck with the cultivation of every inch of soil to the mountain-tops, no less than with the beautiful peeps and panoramas.

The bells in Germany struck me as generally, and individually, sonorous in tone; but when jangled, during some of the services, the whole peal being struck together as I heard them at Cologne, the din could not be but most vile. The church clocks would not seem to equal the bells, if one may judge from the fact that, at Godesberg, when close to the church, I was asked by a young lady what o'clock it was, and looking up at the dial I found its time forty-five minutes wrong.

On my return I had an instance of slovenly railway management, coupled with absence of English grandmotherliness. Arriving at Antwerp, I lost not a moment in inquiring, from person to person, for the train for Flushing; but just as I reached it—not at the platform, but across one set of rails—it had actually started, when the guard opened the first available door, and bundled me, head foremost, with both hands full of baggage, into a third-class compartment, crammed full of pipe-smokers of the worst tobacco, in which I stood until the next station, where I got a first all to myself, and was able to get a breath of pure air. This was better than losing a day, as would inevitably have been the case in England for a person too late (only with us a look-out for passengers is kept before starting). So I crossed in a roughish night to Queensborough, and after passing through London, arrived at my own roof-tree, to find two chimney-pots blown off, and 150 tiles broken, about a couple of hours before (October 14), in a building I had previously deemed impervious to all the winds of heaven.

## ON TEMPERANCE ADVOCACY.

WITHIN the last half-century more has been said about temperance than any other single subject. It is not that temperance has been newly placed among the virtues ; but that the enormous evils arising from by far the worst form of intemperance, have become more palpable and glaring with the increased facilities offered to this indulgence by modern discoveries in chemistry, by commercial enterprise, and the employment of accumulated capital in the manufacture of ardent spirit.

It has been the custom of moralists to insist on the inculcation of four cardinal virtues, to the true practice of which all minor virtues might be traced. These are prudence, temperance, justice, and fortitude. But we may fairly assert that without temperance neither of the rest can be fully practised.

The intemperate man, who spends the chief portion of his means in the gratification of sensual appetite, and consumes, in the fancied enjoyment, time which should be devoted to the proper business of life, cannot be *prudent*, either in the present or for the future.

He who gives unlimited sway to his passions, which become more debased by every fresh indulgence, cannot be *just* to himself, and it is impossible that he can be just towards others. Nor, in the state



of physical disease and debility, which is ever induced by vice, in whatever shape it may be practised, can the intemperate man hope to meet with becoming *fortitude* those trials which, in a greater or less degree, must happen to all men. And yet how much more numerous and aggravated are the trials which he must encounter, the inflictions of his own folly, when, his family without bread, his prospects ruined, his enemies strong on every side, and his body racked with pain, the mind, which in its weakness has willed all this destruction, sinks in utter helplessness into the lowest depths of despair !

Seeing the importance of this virtue, then, it is not surprising that educated men in all ages have united in praise of temperance. Its value, indeed, is admitted by every man in possession of his reason.

The terrible evils arising from *drunkenness* have become so palpable in modern times, and their effects so ruinous—not only to individuals, but nations—that the attention of several of our modern philanthropists has been directed towards the best means of stemming the tide of destruction.

The late estimable Father Matthew, who took the lead in this movement, devoted his life and fortune to the work.

Whether it was owing to the peculiar temperament of the Irish people, among whom he chiefly laboured, or from some other cause, he conceived that, as one element of success, it was necessary to provide some other excitement for his converts—something to call off the mind of the intemperate, and to engage their attention, in substitution for that stimulation which they would lose. He therefore administered a *pledge*, which not only bound those who took it to abstain from imbibing the poison which had hitherto

enslaved them, but, at the same time, afforded a common bond by which they became united in a kind of brotherhood, supporting and keeping each other in countenance, and yielding a portion of the mental excitement which they needed, by their constant meetings for mutual encouragement and good-fellowship. The application of this pledge was so far wise and politic. It displayed a deep insight into human nature. For, not less morally than physically, men are always stronger in company than alone. Persons who are acted upon by *feeling*, will attempt and execute individual reformation, when supported by the excitement produced by extensive *community* of feeling, which they would deem hopeless if undertaken by themselves.

But this counter-excitement should not be too much relied upon, for such demonstrations are very apt to become tiresome, and soon lose their attractiveness, unless sustained by something deeper and stronger than mutual self-glorification.

If the cause of temperance is to advance, we must look to improved education and the increasing strength of the moral sense among the people, rather than to the continuance of the pledge, towards which, indeed, there is naturally a strong objection in many English minds. It is the glory of the British that they are free—free to speak and think and act according to the dictates of their understanding and conscience. The very sound of the pledge, therefore, is jarring to some Englishmen, and those who have bound themselves in this, or any other manner, can with difficulty resist the feeling of being, in some sort, in a state of thralldom, which is irksome and unpleasant. There is a loss of individual accountability, which it may be hardly desirable to encourage. Now, the spread of

enlightened education must, in fact, afford the only true and safe bulwark against intemperance.

The inward determination to do that which we believe to be right, without regard to the opinions of the ignorant, or the ridicule of the foolish, should be assiduously encouraged as of the very highest importance to individual and national character.

After all, the maintenance of the pledge can only depend on the determination to act up to our convictions of what is right ; whilst it is much more manly, independent, and virtuous to rely rather on the strength of our own principles, unsupported and alone, than to be leaning on the assistance and the association of others.

Any person who has so lost the power of self-control as to be unable to resist a mere gratification of the palate, which gratification he well knows to be injurious to his welfare in various ways, is simply insane, not fit to be trusted with the care of his own person. If a man does *not* know what injuries he inflicts on himself and others by the foolish and criminal indulgence, he must be either of weak intellect, incapable of understanding ordinary circumstances, and therefore on a par with the insane, or his education has been entirely neglected or perverted.

The last case is that of the great majority of those who indulge in excessive drinking, and therefore the only effectual means of reforming them is education properly directed.

They should, for instance, be instructed in the principles of economy, to understand which the common rules of arithmetic must be made familiar. They sneer at saving the price of a glass of spirits, or a draught of beer, because they have no idea of the power of simple addition.

A young man of twenty spends, perhaps, sixpence per day in stimulants, which are unnecessary, but thinks nothing of so insignificant an outlay. Let him learn that this small sum would, at the end of one year, amount to nearly ten pounds, which, placed in a Savings Bank, will double itself in time, whilst each year is adding to its now probably increasing savings to the stock.

In a very few years he might in this manner become possessed of several hundred pounds; he would have a stake in the commonwealth, and a voice in the legislation of his country.\*

When some such arithmetical calculation has been fairly worked out by the pupil, he will understand something of the value of accumulated savings, the advantages of economy in the management of a household, and in mere personal, superfluous gratification. He will begin to perceive, if he be a poor man, that his children may be better provided with food when the continual soaking and smoking shall have been dispensed with; that more decent clothing, additional fuel, and a better house, which would not only increase his own personal comfort, but that of each member of his family, might be the result of a self-denial which, if trying at first, would soon become light, and end in being not only none at all, but rather the source of much real gratification. The lesson will be further improved by an appreciation of the time gained, by saving or turning to useful account the

\* Make a dockyard man work out the following illustration: Suppose he lay a pin on board the *Leviathan* the first Saturday he receives his weekly wages; two the next; four the next; and so on, doubling the number every Saturday, for one entire year, or fifty-two Saturdays. Allowing 160 pins to the ounce, let him find what weight will have been put on board the vessel at the year's end. The answer will be—785,365,448 tons, 8 cwt. 25 lbs. 9 oz. 9 drams and 5 pins.

hours formerly devoted to besotted imbecility, and so the prices of gills and pints saved will go on multiplying. The comforts which have been enumerated, coupled with additional cleanliness, both of person and abode, promote health. Hence time before lost in sickness is turned to fresh account, and the usual charges for medical attendance added to the fund. Again, health prolongs life, and some years of improved strength will wonderfully aid the provision for children and for old age.

Now, by the time the formerly ignorant fully comprehend these principles and their consequent effects, they will understand how fortunes are made by small gains ; how ruin is brought by apparently trifling waste ; and how a little self-denial at first may be applied to improve their condition and prosperity.

In estimating the physical and economical advantages of temperance, it must not be forgotten that mental and moral degradation is by far the greatest evil experienced by the habitually intemperate.

The moral sense, which is the finest portion of the human organization, having disappeared, the great object of life is gone ; and the man who has lost instinct, reason, and the very sense of degradation in the gratification of mere sensual appetite, has, for the time, fallen lower than the brute.

As to the means of *reforming* the *drunkard*, it should be remembered that it is a disease with which we have to deal, and of a very obstinate character. The vicious habit creates bodily infirmity, which again reacts upon the mental depression—often the original cause of the habit—and the entire nervous system becomes at length so thoroughly prostrated that, whenever in a state of consciousness, the patient is completely miserable, tortured both in mind and

body, and the demoniacal stimulant alone can afford relief. Whilst the patient is in a state of ignorance as to the real extent of the mischief which is being inflicted ; and that each new alleviation of the misery suffered will but increase it for the future ; it is not to be wondered at that so much difficulty exists in curing this most horrible of diseases.

The first requisite is that, during his moments of reason, he be brought to a sense of the manifold self-inflicted evils he endures, and to a real desire to emancipate himself from them. The rest is comparatively easy. He may take the pledge ; and under the solemn obligation of the promise, and a strong determination to keep his word, he may patiently endure very great privation and suffering for a time, under the support of an approving conscience and the countenance of numbers of associated friends, until the nervous system, gradually recovering its tone, the suffering and privation vanish, and the good alone remains. There are vast numbers, however, in too abject a state of misery to be reached by this conscientious remedy. Nevertheless, it may be well conceived that, in the event of the patients desiring reform, such cases are not hopeless. *Any* habit can, at the wish of the individual and by methodical observation, be changed without much inconvenience. As with the inveterate snuff-taker, the smoker, and the opium-eater, so also with the spirit-drinker, a careful measurement of the quantity of poison which can be borne without visible ill effect, or rather of the smallest portion actually requisite to relieve the imperative craving for the stimulant, regularly taken, and diminished by almost imperceptible degrees, cannot fail to be at length effectual in altering the vicious habit, and that, too, without the physical incon-

venience which must, in the nature of things, be experienced by sudden change. Sometimes one stimulant has been substituted for another, as sal-volatile for gin ; but there can be no doubt that the most intelligent, as well as the most effectual, method for these aggravated cases is that which has been pointed out, viz. by inducing the wonted suicide gradually to diminish the poison dose.

It is evident that if the man who takes the pledge in a fit of remorse, has not sufficient determination and moral principle to induce him to keep his faith, no earthly power but absolute personal restraint, which our law of lunacy unfortunately does not permit, will make him. So, also, in the other case, if there be not the desire to overcome the habit, or it cannot be implanted in the mind of the individual, there is no cure for the habitual drunkard but the grave.

Take it, therefore, which way you will, it is and must be, after all, an affair of education.

A very slight acquaintance with physiology, the laws on which the life and health of the human body ordinarily depend, would be sufficient to teach most men that no part of the animal system can be over-taxed, or violently disturbed, without entailing a consequent amount of suffering and danger. Thus, by over-stimulating the nervous system with ardent spirit, or other intoxicating substances, corresponding weakness inevitably follows ; and when this process becomes habitual, the nerves soon lose their natural tone, and eventually become powerless. Hence the shaking of the hand experienced by hard drinkers, whenever they happen to be sober ; hence the shrivelled and weak appearance of the confirmed dram-drinker ; and—as the brain is intimately connected with that part of the nervous system which presides over the vital functions

particularly the nerves of the stomach—hence the early imbecility of the intemperate; hence the frequent idiocy of their unhappy children.

Whilst touching on physiology, it may be remarked that not only excess in drinking, but excess of any other kind, as over-eating, over-excitement of the passions, is also exceedingly injurious to the physical system, although not mentally or morally so degrading as excessive drinking. As far as mere length of days is concerned, it may be even doubted whether gluttony be not more destructive than drunkenness; the vital organs being more nearly affected and overworked by excess in eating, and therefore more rapidly worn out. It has been observed, indeed, by a celebrated physiologist, that a drunkard may, by force of a vigorous constitution, sometimes attain to an advanced age, but a glutton never.

Other forms of intemperance, as intemperance of speech and action, are much promoted by the foregoing evils. These are very generally but additional forms of disease common to sufferers from bodily intemperance. They act and react upon each other. They are each injurious in their way, both physically and morally.

There is one kind of intemperance, viz. intemperance of thought—*i.e.* with regard to the motive, feelings, and privileges of those who differ from us in opinion—from which some even of our temperance advocates are not always free. As in religion, so in morals, there is nothing so injurious to a cause, nothing so impolitic, nothing so destructive, as offensive bigotry. They who wish to persuade others must begin by respecting the rights, the character, and opinions of those they would instruct. If I desire to convert a person to my views and set out by attacking



his motives, principles, or right or capability of forming his own judgment, what chance have I of success? The imputation of improper motives is an insult. The denial of his right to judge, affords no proof of my right to judge for him. The assertion of his incapability destroys the only ground on which I could be justified in employing my own time, or his, in attempting to improve his understanding of the matter. Nothing can be more ill-judged, or subversive of its own purposes, than intolerance.

If we would teach men to respect themselves, we must begin by showing them that they are *worthy* of respect, and therefore that we respect them. Reason, argue, persuade, as much as you please; but no popery, and by no means *insult*.

Temperance advocates (it is to be hoped but few) have been sometimes heard to consume time in expressions of at best contemptuous pity for drunkards, on the one hand,—a very poor method of gaining confidence, to say the least,—and open and undisguised abuse of those whom they call, by way of scorn, "*moderate drinkers*," on the other. The effect of such a style of oratory is, that many, who under more judicious treatment might be made to see their errors, go unreclaimed; and that numbers of the most highly educated and wealthy class decline to have anything to do with a movement urged forward by such questionable means. In this manner a cause which should unite all liberal, enlightened, and good men may be deprived of much of the support which it deserves to command.

I have heard a lecturer consume the whole evening in accusations against those who were not total abstainers, for thus, as he alleged, openly encouraging drunkenness; and then use at the end of his dis-

course, in depicting the terrible extent of the evils arising from habitual intoxication, the charge of an eminent Recorder to the grand jury, pointing out in more glowing terms than the lecturer himself could command, that the great majority of offences tried in our criminal courts have their origin in intemperance.

Now, I happened to know that the learned Recorder whose disgust at this vice, and sorrow at its baneful effects, had so well illustrated that which should have been the main argument of our orator's discourse, was himself one of that large class of educated, high-principled, and virtuous men whom it had been the chief business of the evening to revile, viz. a "moderate drinker," or, in other words, a person who took as much wine as he thought *good* for him, and no more. So much for consistency, which I considered far more exemplified by the abused than the abuser.

On another occasion, I was present when a very violent contrast was drawn between the conduct of two thousand medical men, and the entire body of the clergy; very much to the disparagement of the latter, who were even accused of the desire to encourage intemperance, because the doctors had certified that, in their opinion, if no fermented liquors or spirits were used at all, the present average health of the population at large would be improved; and because the clergymen had signed no such certificate.

The speaker did not allege that the doctors were teetotalers, or that they certified that a moderate use of these beverages was injurious to health; for their statement was quite consistent with a contrary opinion. They might have meant, and probably did, that the diseases caused by want of stimulants were so much less destructive than those *now* suffered from over-stimulation, that the balance of gain would be in

favour of the entire abandonment of stimulants, as compared with their present excessive use.

Nor did the lecturer say that any man living, and in his senses, was of a different opinion; nor did he say that the clergymen had refused to sign such a document, or had been ever asked to do so; or that their opinion on the point would have been of any value *professionally* if they had. And yet the amount of abuse which was heaped upon this respectable and pious body of gentlemen, for what the advocate was pleased to allege as this their neglect, was so great, that I, who had been a total abstainer almost before teetotalism was heard of, was positively ashamed to be listening to such outrageous and utterly unfounded aspersions. If such were the effect on an abstainer, what could be the impression on a temperate consumer of beer or wine, but that the man was drunk with his own conceit? What but contempt would be the feeling, even of the man who indulged to excess, with such a specimen of intemperance before him?

The apostle Paul has told all teachers of their fellow-men, that, though they speak with the tongues of men or of angels! if they have not charity, they are as sounding brass or tinkling cymbals. Is it not strange, then, that Christian philanthropists should ever forget this truth?

It is entirely useless to attempt to convert mankind by force. Opinions must be led by reason, not knocked down by violent demonstration; and vice must be conquered by charity, if it be conquered at all. The moment a contrary spirit is exhibited, suspicion is aroused; motives are attributed to the teacher, and the argument falls powerless. How much more, then, should we be careful in discussion with persons who agree with us in principle, but differ only in opinion

as to the means of action? Men must in some respects agree to differ, for it is absolutely impossible that any two minds can think precisely alike; any more than that any two leaves in the boundless forest, or any two blades of grass upon thousands of miles of prairie, can be precisely alike. The very unity of nature is exhibited in infinite variety of expression. Can any man arrogate to himself omniscience? By so doing he would evince the greatest degree of folly. Therefore each man may be sure that his neighbour possesses some knowledge of which he is ignorant. Therefore it behoves all to be humble in the midst of firmness, in the assertion and inculcation of his own convictions. Be assured that intolerance is not only another name for pride, but it is also another name for absurdity.

We may instruct, and if our cause is good, it is our duty to persevere, so long as good may be accomplished; but we must do so with simplicity as well as earnestness. Our moderation must be known unto all men if we are to succeed in our endeavours.

Those who would assume to themselves the right of judging for others, are simply endeavouring to reduce their fellow-men to a state of mental and moral slavery. Now, as I have before observed, it is the birthright of every Englishman to be free to judge for himself, and to hold his own opinion; and it would be a sad day indeed for England when that principle shall be lost. Persons who rely on the opinions of other men, and blindly submit to their dictation, are, in so far, children, endeavouring to throw off their own personal responsibility, and thereby, as has already been intimated, lowering themselves in the scale of intelligent and accountable beings.

But vigorous and healthy men will be above this.

bondage ; they will not yield the right of free action, and will choose that the responsibility attached to their actions shall rest, as it ought, upon their own shoulders. This, of course, implies that they are willing to undertake the duty of inquiring into and studying the subject, which may be in question, for themselves. If they neglect that duty, following the guidance of mere sensual appetite, *that* is no inquiry, *this* is forming no judgment. It is worse than hiding the talent in the earth. It is the blind wilfully following the blind, and the penalty due to neglect and perversion will infallibly fall upon them. We must strive to open their eyes, and awaken their sense of responsibility. Let it not be done, however, by upbraiding or contempt, but by charitable persuasion and argument ; fully recognizing the right of individual judgment, and success will certainly attend our efforts, producing far nobler results than could be effected, were it possible, by abuse, or power to transfer them from one kind of moral slavery to another.

In truth the cause of temperance loses immensely by some of its advocates so pertinaciously repudiating moderation, and the co-operation of those who are temperate in their use of stimulants, although erroneously differing in opinion with total abstainers as to the desirability of avoiding such invidious supports altogether.

This question of *moderation* versus *abstinence* is a scientific physiological question ; and while the custom of civilized nations of overworking the animal powers, and the mental powers, in search of gold, of fame, and in the struggle for bread, continues, much apparently scientific reasoning will continue to be urged in favour of stimulants.

In the nature of things this overworking causes a commensurate depression. Add to this, anxiety for the future, and grief for the past, which enters so largely into the account with most of us ; and it is no wonder that those who suffer the effects of such a combination of wear and tear, should *fancy* that the pleasurable sensations caused by stimulants, not only do them no harm, but are positively and permanently beneficial. They feel stronger at the moment, and better able to get through the accustomed work by the aid thus afforded ; and they believe that a real advantage has been gained. Not having studied physiology, they are ignorant of the fact that stimulation is not nourishment, that it is only a false excitement, and therefore it must cause its corresponding relaxation when the unnatural effect is past ; that they are thus only adding to the future load for the sake of the temporary relief ; that, unless the dose be increased as time wears on, they will feel no better supported than they would have done without, had they never begun the practice ; that the weakness at first felt, on discontinuing the habit, will be but temporary until the system shall have recovered its natural tone ; and that to continue, and much more to increase, the habitual use of the poison, is only by so much the more hastening the work of the original evil (the unnatural degree of labour), viz. a correspondingly premature grave.

The moderate drinker, as he is called, is ignorant of these things ; and we may teach him their truth, if we can : but don't endeavour to persuade him that it is his duty to abstain from doing that which he thinks, or fancies he thinks, *right*, under the notion that by so doing another man may be better persuaded to abstain from that which he knows to be wrong !

The attempt is absurd, and our cause is injured by its being made.

Unfortunately the practice of taking stimulants in moderation is approved, defended, and upheld by as yet a very large class of those gentlemen whose profession it is to allay the pains of disease, but in whom their patients rely for advice as to the preservation of health. It is not that medical men do not give such counsel as they conscientiously believe to be sound, but it is evident that the amelioration of disease and the preservation of health are two very different things; and it is undeniably true that it is the first, viz. *cure*, which is chiefly attended to in our medical schools, even at this day; and equally true that physiological science, or the means for the preservation of health, has been but very recently introduced at all in these schools.\* A knowledge of physis does

\* A few years since.

"STIMULANTS.—SIR,—A letter appeared in the *Examiner* of December 25, 1858, from a medical practitioner, in which he gives it as his opinion that mankind ought to make use of stimulants, and that the Chinese benefit themselves by taking opium; because, he says, the inhabitants of all parts of the globe do take stimulants of some kind or other; adding, that in civilized countries, where the brain is most worked, the greater is the demand for some stimulant. He argues that the same stimulant does not suit all constitutions, because some take one kind, some another, and so on. And further, that we have only to supply the poor with good wine and spirits in order to diminish drunkenness!

"This letter is signed 'F. R. S.,' which stands for 'Fellow of the Royal Society.' The logic of this gentleman exhibits the best specimen of jumping to a conclusion I ever met with. He finds that men readily fall into bad habits, sensual excess, or the use of stimulants of some kind; *ergo*, these habits, excesses, or stimulants are good. We read that 'God hath made man upright,—but they have sought out many inventions;' *ergo*, our commentator 'F. R. S.' would argue the inventions are desirable. Every brute animal, like every human animal, will readily acquire a relish for stimulants, and soon prefer them to their natural food, as those animals do which are under the superintendence of man. Dick Turpin's mare, it has been asserted had, tied

not by any means imply a knowledge of physiology. So true is this, that an accomplished physician has admitted that he had practised some years in his profession before his attention was directed to the study of the laws of health.

But if our present life be a preparation for a better, if the health of the mind be greatly dependent on that of the body, and moral health on both—and who will dispute these truths?—then I hold that it is the positive duty of every individual to study the laws which govern his existence for himself, so far as his means of information will allow, independently of all others; and to do his best towards the lengthened preservation of that existence, in order that he may be better and better prepared for the final result.

It is a much larger question than that of mere length of days, yet that alone is considered desirable by most men. On this point a physician of ripe age and experience once remarked in my presence, that the water-drinkers were quite right. "Life," said he, "consists of but a certain number of pulsations; as soon as the beats are completed, death will come, and by hastening their speed you but hasten death." This

to her bit, beefsteaks; other horses drink ale; *ergo*, according to the reasoning of 'F. R. S.' (for all other horses might be trained to the same tastes), beef and beer are beneficial to horses, just as corn is proved to be the best food for those animals, because they will always leave their grass for it, although many horses are deprived of half their existence by the too free use of corn.

"The brain and nervous system of civilized man being overworked, do not diminish the labour and take the natural stimulus of air and exercise, but increase the load by unnatural alcoholic and narcotic excitement, says our 'F. R. S.' That an English medical, and no doubt duly qualified and duly registered practitioner according to law, could be found to write in such a manner! But

"I am, etc.,

"NOT 'F. R. S.'"



most true and philosophic observation illustrates the fallacy so often relied on, that the apparent health of an old man who has been an habitual hard drinker affords a proof that he has not been injured by this habit. Although it is wonderful to what an extent the law of nature, which allows the animal system in some measure to *adapt* itself to circumstances not friendly to life, may be abused in the human subject without apparent injury, yet it is none the less certain that injury must ensue ; and no man, old as he may be, can tell how many years of his original fund of life have been cut off from that he *would* have attained had he lived, under precisely similar circumstances in other respects, without the baneful vice. Moreover, in considering the causes of longevity or early decay, and instituting comparison between different persons, we must remember that it is the balance of very numerous circumstances which is to be struck ; as, for instance, early physical training, air, exercise and diet, labour and rest, anxiety or equanimity, sorrow or joy, comparative ease and comfort, general habits, etc., all of which, and many others, are to be taken into the account. But it is most certainly true that, all other things being equal, the man who confines himself to natural and healthy nourishment will survive him who indulges in artificial stimulation, and the difference will be in proportion to the degree of such indulgence.

This being so, every step in diminution of the evil is important, and the inculcators of abstinence are doing, or might be doing, efficient service, not only in persuading the strong-minded to shun the danger altogether, but in inducing those who are weaker-minded to indulge in a lesser degree. Therefore, to give offence, and thus shut the ears of those who might be benefited to some extent, if not altogether,

by our warning, is to waste the opportunity for good, and thus to deprive our efforts of perhaps the chief portion of their value.

It is much to be regretted that the advocates of temperance should have been sometimes unable even to agree among themselves, and have become thus divided into antagonistic parties, favouring different modes of action for accomplishing their professedly common object. As far as persons not engaged in the contest can pretend to understand the dispute, it is only as to the commission of what I have been endeavouring to show is a mistake, in a different degree. For, while some of those who are denominated "moral suasionists" fall into the error of offending moderate drinkers, they, in their turn, are abused by the "Alliance" party, because they do not agree in the desire to compel obedience to their principles by form of law—an attempt which, supposing the love of political independence would allow it to be nominally successful, could only have the effect of adding deceit to moral slavery, hypocrisy to sensuality. Crush independence of thought and action, and the sensualist becomes debased indeed.

It can hardly be necessary for those who are unable to approve this line of policy altogether, to point out with which section they differ the most. But surely, that the leaders of a noble cause should fall out by the way is a lamentable occurrence, and one most tending to bring themselves into disrepute. Truly the harvest is plenteous enough, truly the labourers are few enough, without exhibiting disunion among themselves!

Every glass of wine discontinued is a gain to the cause of temperance, and should be so considered. To every one who will preach temperance to the drunkard,

therefore, should the right hand of fellowship be extended, although he be himself open to improvement from the more advanced preacher of total abstinence. Do all the good you can, but "let every one be fully persuaded in his own mind;" "let not your *good* be evil spoken of;" and refuse not to effect that which is at present possible, because unable to accomplish all you wish in a moment.

Reforms which are lasting are generally effected slowly. Let the enthusiast consider what progress has already been made in the upper ranks of society, within the last century, in this matter of temperance, by means of more advanced general education alone. The "six-bottle man," if such an animal is now to be found, is regarded with as much unmitigated disgust, by all moderately informed and intelligent persons, as formerly he would have been with applause by those of the highest rank. Such a worthy, once looked up to with admiration, would now be scouted from decent society.

If, then, general education had done so much before teetotal societies were formed and pledge-taking was heard of, let us have more faith in the extension of education, to those who have not as yet experienced its blessings, to carry on the work, and more faith in *particular* education, the true understanding of the laws of life and health among the already generally educated classes, for yet further improvement. Let us be satisfied with assisting this certain progress, and be temperate in success.

The consciences of men are ever leading them forward towards the consummation of moral perfection. The more good we attain the greater the desire to become better. The inward aspiration is always, "Be right; be right." The moral instructor has only to

supply fresh fuel, in order to insure the increasing brightness of the flame within. One thing in nature is impossible, that is stagnation. If we go not backward we must proceed. What an encouragement is this for the philosophic teacher! for he has only to arrest retrogression, to render certain the onward march.

As perfection is impossible on earth, let the teacher also be careful that he relatively keep pace with those he would instruct. Let me warn the advocate of total abstinence from fermented liquors and ardent spirits, that he do nothing which may encourage the use of stimulants of a different and even more baneful character; such, for instance, as powerful narcotics, which undermine the health of body and mind, without giving that salutary and visible warning which intoxicating poisons do. Many of these will readily occur to us. There is no doubt that the free use of tobacco is excessively injurious, and yet the consumption of this noxious weed is increasing to an alarming extent; so, also, I fear of opium, in different forms. It has been asserted by several eminent physiologists, and, amongst physicians, by Dr. Lettsom and Dr. Beddoes, near a century ago, that even tea and coffee are in their action unfriendly to life. I mention these for the purpose of showing that there are many disputed points in physiological science which demand inquiry. And if it be the duty of some men to examine as to the nature and effects of alcohol, it is equally incumbent upon others to satisfy themselves with reference to the action of narcotics, and other stimulants, to which men might resort in their ignorance, as a substitute for those which have been discontinued.

Let me reiterate once more that all attempts at

force in matters of opinion must ignominiously fail. If we have no right to place fetters on the body, still less have we to fetter the mind. Intolerance, as I have said, is folly ; and the worst form of intolerance is exhibited by hurling contempt, and derision, and insult on those who may differ from us. Every good movement is infallibly retarded, and cannot be advanced, by its display ; and the cause of temperance can be no exception to the rule.

Those, therefore, who would inculcate temperance in others must be temperate themselves—temperate, which is charitable, in thought ; temperate, which is moderation, in speech ; temperate, which is discretion, in action. We must teach temperance in mental study, temperance in bodily labour, temperance in passion ; temperance in attachment to worldly advantages, temperance in ambition, temperance in pleasure, temperance in grief, temperance in eating, and temperance in drinking such beverages as we approve, as well as total abstinence from all such things as we condemn. But, above all, let us inculcate upon our hearers that, “with all their getting, they be careful to get understanding,” and never attempt to interfere with the full and free right of private judgment in all things.

## YELLOW FEVER AND QUARANTINE.

*(Epidemiological Society Discussion, 1851.)*

AT a meeting of this society, held the 7th of April, 1851, at the rooms of the Royal Medico-Chirurgical Society, Berners Street, on a discussion which had been adjourned at the previous meeting, arising from a paper read by Dr. McWilliam, medical officer to the Customs, on the contagious nature and presumed importation of the yellow fever into the Brazils, which caused such a frightful mortality in that country in 1849-1850, Mr. Baker, a visitor, spoke as follows:—

It may appear presumptuous, sir, in a non-professional person, as I am, to enter into a discussion with a gentleman of Dr. McWilliam's erudition upon any medical subject. But I would observe that the question at present before this society, as connected with the able paper read by Dr. McWilliam, is mainly one of fact, and upon questions of fact all persons are alike capable of forming an opinion.

If any apology be needed for taking a lively interest in the subject of yellow fever, it appears only necessary to point to those hundreds of the flower of our British population who are being continually shipped off to the tropics in the service of their country, there to find a premature grave. Sir, this of all subjects is one which, in my judgment, every man should approach with impartial candour, without prejudice, and with no other object than that of arriving,

if possible, at the truth ; because it is a subject of the most vital importance to our fellow-mortals in every region of the globe. With reference to the yellow-fever epidemic at the Brazils in 1849-1850, Dr. McWilliam has given a series of conclusions to which he has arrived, which may be summed up in the opinion that the disease was contagious and not endemial, and that it was imported. On a former occasion (in noticing the evidence on which Dr. McWilliam had based these conclusions, chiefly founded on the report of Dr. Paterson—a most unsatisfactory and inconclusive document, from the opinion expressed in which, by his own confession, the great majority of the medical men of Bahia appeared to differ) I stated that the importation of the fever into Bahia was, during its prevalence, *first* attributed to the French ship *Alcyon* ; in the despatch of the 21st of December, 1849, to the cleaning of that vessel ; on the 10th of January, 1850, to some slave vessels from the Gallinas. But the *Alcyon* and the slavers alluded to, having probably been found on inquiry to have arrived subsequently to the first cases, we find, in the despatch of the 19th of August, 1850, that the American brig *Brazil* is mentioned as the *third* source of its introduction. This vessel arrived on the 30th of September, 1849, and, on the 2nd of October following, an anonymous letter appeared in the *Correio Mercantil* of Bahia, blaming the health officers for admitting to *pratique* a vessel with a clean bill of health from New Orleans, where the same anonymous authority asserted that both yellow fever and cholera were raging. From the *animus* shown on the face of this letter, it was evidently written by some mercantile rival, who does not hesitate to impute improper motives to the health officer. The first case of fever occurred on the 3rd of

November, in a boy living over the American Store, which the captain of the *Brazil* frequented. The president, in his opening speech to the provincial assembly of Bahia, March 1, 1850, says that he is "*inclined to believe* that this scourge was made a present to us by foreigners, . . . and it is stated, with *some probability*, that it came from New Orleans, in the American brig *Brazil*," which circumstance did not escape an announcement inserted in the *Correio Mercantil*; and adds, "On board which vessel, as *I am informed*, and during the voyage, individuals died attacked by yellow fever, which was raging in that American port." On the 9th of August, 1850, we have a Report by Dr. Paterson, in which the port of the *Brazil's* departure is thus called in question: "Her papers said from New Orleans, but, as it was *afterwards understood*, actually last from the Havannah." In forwarding these papers to the Foreign Office, the British consul uses the following expression in allusion to the *Brazil*—"Reported from New Orleans, but said to be direct from the Havannah, at which place it is *pretty well ascertained* she landed a cargo of slaves." Dr. McWilliam, in his paper, has thought himself therefore justified from this language of the consul to adopt the expression, "but, as it was afterwards *ascertained*, from the Havannah," thus assuming as fact that which must on examination appear as entirely conjectural. In order to give even the smallest probability to such a surmise, we must assume the perpetration of gross fraud, amounting to forgery and connivance by the authorities at New Orleans, Havannah, and Bahia, to say nothing of the captain. We should be careful not to impute such fraud without the strongest evidence, but here there is positively none. If, indeed, such iniquity could be successfully practised, it would



prove that all clearances, bills of health, and declarations at the port of arrival, were utterly valueless ; and clearly show the uselessness of quarantine regulations which may be so easily set at nought. If the Havannah slave story be true, the New Orleans fiction on which the whole fabric, as connected with the *Brazil*, originally rested, falls to the ground.

But neither is there evidence of the prevalence of the yellow fever at New Orleans at the time, for no such information has reached the Foreign Office, which is surely sufficient to refute the authority of an anonymous letter ; nor evidence of the captain's fraud in coming from Havannah with false papers ; nor evidence of deaths from yellow fever on the passage : consequently nothing but the wildest hearsay to warrant the inference of Dr. McWilliam that yellow fever existed on board this vessel on her arrival at the port of Bahia. Dr. McWilliam tells us that conjectural evidence cannot be taken. Here we have nothing but conjecture. I put it to Dr. McWilliam whether he would risk a question of the value of forty shillings, or forty pence, on such evidence as this ? Yet here is a question involving, it may be, the lives of tens of thousands of our fellow-creatures. I ask any gentleman in this room whether, as a jurymen, he would accept such evidence as this on the most trivial matter which could be brought before him ? I say, on such evidence as this, that the direction of the judge must be, "Gentlemen, there is no evidence before you on which you can find a verdict, the case must therefore be dismissed."

But we have not arrived even yet at an attempt to prove the importation of contagion into Bahia from a sick man. We are told that the captain of the *Brazil* was himself in good health, and are left to infer that

he had been in the habit of perambulating the streets of Bahia for from twenty-five to thirty days ere the supposed "*fomites*" fell in with its first unfortunate victim, whose personal contact with the captain, by the way, has still to be established. But after the erection of this extraordinary castle, we find it entirely demolished in a single sentence by Dr. Paterson himself (who, Dr. McWilliam tells us, "is more circumstantial in his account than others"), for he writes, "I have stated what I believe the fact of its importation, but, as it was *some time in the place before it was duly recognized*, exception might be taken to the evidence." The whole *evidence*, therefore, of the importation into Bahia is sustained simply and entirely on Dr. Paterson's *belief* in the contagious nature of yellow fever.

At Pernambuco the disease is asserted by Dr. Paterson to have been imported from Bahia by the *Alcyon*; but the despatches from Pernambuco clearly show that the first cases in that town had not the slightest communication with that vessel. At Rio de Janeiro the alleged importation by the barque *Navarre*, which arrived from Bahia with a healthy crew, and bringing no intelligence of the fever there, three weeks and a half before the first case occurred in the town, is, to say the least, little better than the story of the *Brazil* at Bahia. In the despatch from Maranhão, dated April 8, 1850, we are told that this town and province were exempt, and, as Dr. McWilliam says that "ports at which quarantine measures were adopted entirely escaped the disease," we are to infer that the disease was kept out of Maranhão by quarantine. Can we be satisfied that such was the fact when we consider what the quarantine regulations of Brazil were? At Bahia clean bills of health were given to the 29th of January, 1850, nearly three months after

the first recognized case occurred in that town. At Paraiba, we are informed in the official despatch that, on the outbreak of the disease the *arbitrary sanitary arrangements* imposed a quarantine of *three days*. But so far from importation being hinted at, the consul attributes the rarity of attacks and low mortality (given from January 21st to April 23rd) to sanitary arrangements, instead of quarantine, which had been abandoned from March 1st. At Para there appeared a few isolated cases to March 11th, eight in the city and ten in the ships. Why did it not spread in Para? In Rio Grande do Sul there was *one case* of yellow fever at Allegre—bilious fevers prevalent. Monte Video, Dr. McWilliam informs us, escaped throughout. But I find from the despatches that the *Tweed* and *Cormorant*, English ships of war, both having cases on board, were in the harbour; and it is also stated that, in the steamer *Poony*, the French troops on board did not suffer, although the disease prevailed among the crew. Why was this?

As the only medical report from Bahia is from Dr. Paterson, whose belief in contagion appears to have been too strong to render any attention to endemial causes in his opinion necessary, we have no further information from that place on this point. At Pernambuco, however, the weather is described as "fearfully hot," and the "atmosphere in the morning appeared loaded with mist, which contrasted with its usual purity;" and the despatch, dated January 7, 1850, contains the following: "Dr. Sarmiento states the atmosphere to be infected, for the simplest diseases have a tendency to become malignant and fatal." Dr. McWilliam describes the lands near Pernambuco as "low and swampy," the "banks of the river studded with the mangrove," and in the locality where the

disease first appeared the streets are narrow and filthy, whilst no attempt has been made to connect these cases with shipping. In Rio Grande do Sul the bilious fevers prevalent were attributed to the great drought experienced for many months.

Dr. McWilliam has informed us that, previous to 1849, the yellow fever had been, for a century at least, unknown in the Brazils. Now, according to the doctrine that the disease is contagious, it must be supposed that no vessel from Africa, engaged in the slave trade or otherwise, had arrived for a century at the Brazils having cases of yellow fever on board ; or, on the supposition that the disease is endemial, the atmosphere must have proved too pure to enable the disease to localize itself, so as to gain any important footing. When, however, Dr. McWilliam stated that "yellow fever had been, for nearly a century at least, unknown in that country," he must not only have overlooked the statements of Dr. Allemande (to which I shall presently refer), but also the despatch from Pernambuco of the 28th of February, which states that "yellow fever epidemics had prevailed in that place in 1640, 1710, 1780 ; and these periods, together with the last, 1850, were noticed, curiously enough, as having been each seventy years distant from the former outbreak. Of all the accounts relative to the epidemic in Brazil, that from Rio by Dr. Allemande is by far the most instructive ; and although he has drawn conclusions which have been noticed, and almost alone noticed, by Dr. McWilliam as being favourable to the importation of the disease, we should take the *facts* which he has furnished to assist us in forming our own opinion.

To commence in the order of chronology with the point last noticed in reference to Pernambuco, viz.

the existence of yellow fever at former periods : Dr. Allemande informs us that there was a report that it prevailed at Rio at the close of the last century, and Dr. Thomas Gomes dos Santos affirms that, "in 1808-9-10, an epidemic prevailed at Rio, the characteristic symptoms of which were the yellow colour of the skin and vomitings." Dr. Allemande writes, "I have not the slightest doubt in my own mind that the yellow fever prevailed at Rio forty years ago." He tells us that Rio is an "almost entirely land-locked bay, little subject to the ebb and flow of the tides ; and into which a series of rivers discharge themselves, having marshy mouths. . . . To this geographical predisposition to the yellow fever may be added a highly important climatic change, which has developed itself more and more for several years past." On his arrival, thirteen years ago, he was struck by the regular occurrence of thunderstorms, almost daily during the hot season, for six or seven years, rendering the streets impassable to foot passengers for an hour or more. He says that it was a common afternoon adieu, "Till after the thunderstorm ;" that four years ago these storms became less frequent, when Rio was "for the first time" (meaning during his residence, of course) "visited by an epidemic, *sui generis* at the height of the hottest season ;" that it prevailed "chiefly among foreigners not acclimatized," affected whole crews of vessels, was "perfectly innocuous," and he called it "insolation fever." It returned "with a more decided character in the two following years." He tells that this insolation fever, which represents with almost mathematical precision the first stage of the present yellow fever, was merely the precursor or admonisher of a more deadly epidemic ; that he received a letter from Germany reminding him of his own observation

in 1847, viz. "this insolation fever might easily develop itself into a perfect yellow-fever epidemic, if the circumstances to which the insolation fever are ascribed were to assume a more important character; and this has actually occurred." The heat was "far greater than in previous years, and there was a total absence of storms. . . . The sea breeze was far less frequent than formerly, a dead calm rested upon land and sea, and only a few slight showers fell occasionally." He refers to a memorandum in his private diary, December 13th: "A remarkable number of gastric fevers;" writes, "At the beginning of December a very significant disposition to the development of more aggravated morbid phenomena manifested itself at Rio. . . . At the close of December several cases of insolation fever again occurred, at the very same time that the decided cases of yellow fever appeared in Frank's house."

On December 28, 1849, the first cases were sent to hospital, from a sailor's lodging-house, kept by a man named Frank; the sleeping apartment on the ground floor "was very dirty, close to the Rostleberg, and many sailors were congregated in it." One of the first sailors attacked happened to have belonged to the *Navarre*, which had arrived at Rio on the 3rd of December, after a voyage of "eight" or "twelve" days, from Bahia; she had no cases on board, nor brought any account of the fever. Other sailors from various parts of the world quickly became ill "in the above-named filthy sleeping-room at the back of the house." From this focus the disease gradually spread, "proceeding from the house above mentioned, running almost without interruption from house to house, though with milder symptoms, and even passed into the narrow cross streets;" whilst "for some days not

a single suspicious case occurred in any other part of the city." It next appeared "in many streets along the river, running down to the banks;" and so on, till it eventually prevailed over the whole city. The sailors from the *Navarre* (for the vessel was paid off and sold immediately on her arrival) would appear to have been three weeks or upwards living in the focus of the poison before becoming infected.

Quarantine would have saved the lives of these poor men by keeping *them* from the town, but could not have kept the *fever* from the town. All diseases at a seaport must of *necessity* be preceded by the arrival of *some* vessel. I may observe that the report of Dr. Allemande did not emanate from his own desire to write, but was furnished in answer to certain questions forwarded to him by Sir William Pym, the British superintendent-general of quarantine, from England. These queries, bearing the signet of the Privy Council Office, were really supposed by Dr. Allemande to have been put to him by the "British Cabinet." The first question was, "By what vessel was the yellow fever supposed to be introduced into Rio de Janeiro?" and the second, "From what place had she arrived?" Now, sir, upon these leading questions from such powerful authority, how could Dr. Allemande avoid the inference that the fever had been brought to Rio by *some vessel*? how could he *help* finding one when it was so directly implied that it must be so? But I contrast the opinion of Dr. Allemande in favour of contagion with his acts, whilst practising with unremitting diligence, night and day, amongst the poor inhabitants of a country thousands of miles from his native land. Were his acts those of a contagionist? I make bold to assert that they were not. And I believe that he never would have given

an opinion favourable to contagion, but for the *opinion* of the "British Cabinet"! He tells us that a bad character had been given to his hospital; that many more deaths occurred there than elsewhere; and states, as a reason, that numerous patients were sent thither in the last stage of the fever, only to die; that in the midst of this he entreated all the consuls "and foreigners of distinction" to visit his hospital, to come and see how the sick were treated and cared for. Why, are we to suppose that he had a design on these "foreigners of distinction"! Did he wish to murder them in cold blood! This is the very opposite to what a contagionist would have done. Well, one visitor came; and who do gentlemen suppose this was? Was it the representative of that country the inhabitants of which are now so jealous of their religious character? Was it the representative of Christian England, think you? No, sir, it was not. The only one who came was the Russian ambassador, Count Von Medem, who "conversed fearlessly with the individual patients, and remained a long time in the sick ward."

The next word in the report is "Unhappily." I confess that when I read that word a chill passed over me! In one moment was presented to mind the calamitous result of this noble-minded man's temerity, struck down by the malignant contagion, a martyr to his disinterested philanthropy! I took courage, however, to finish the sentence: "Unhappily this distinguished man found none to imitate his example."

Dr. Allemande affirms that it is quite decided that the fever was incommunicable in the elevated settlements—"not a single case is recorded of any individual having come from Rio, and having conveyed the



disease from that place to another person who had *not* been in Rio." At Petropolis, at an elevation of 1200 feet only, "there was not the slightest apprehension of infection, and this under the same roof with yellow fever patients (forty of whom died in one hotel) with whom they came into continual personal contact." He gives an instance in "proof that a previously surmounted attack of yellow fever by no means causes an exemption from a fresh attack;" and observes, "Yellow fever is not an acclimating process; it is rather an indication that the individual is not yet acclimatized." The despatch of May 12 also contains strong evidence of the endemial source of the disease among the shipping, which has not been noticed by Dr. McWilliam. The consul therein complains that the inspector of customs at Rio having ordered the merchant vessels to return to the usual anchorage near the shore, the yellow fever instantly again made its appearance in a virulent form on board those ships, which had previously almost ceased to attack the seamen while the vessels were at a greater distance from the shore.

Sir, so far from there being no evidence of endemial origin, we find that, at the time the epidemic was raging, the atmosphere was peculiarly morbid; that the climatic change, which had been gradually taking place, had deprived the towns on the coast of that thoroughly cleansing process which had formerly been effected during the daily thunderstorms in the hot seasons; that, in consequence of this climatic change, fever, which no one can doubt was the ordinary remittent of warm climates, in a mild form, had been gradually becoming more frequent and severe; that, four years previously, it had been predicted by Dr. Allemande that, under certain peculiar

circumstances, this mild fever "might easily develop itself into a perfect yellow-fever epidemic; that these very circumstances actually occurred, and that the prediction was verified, for the "insolation fever," or mild remittent, which had prevailed for the previous two or three years, did, during the "fearfully hot," misty, unhealthy season of 1849, assume that much more malignant and aggravated type, which is usually called the yellow fever. We find that in order to get this malignant fever the ships had to anchor close in shore, and the inhabitants of the villages were obliged to come into the town; for it neither prevailed on board the vessels whilst they were at a distance from the shore, nor could the *infected* inhabitants from the *infected* town of Rio *infect* those who continued in their own healthy district, though in constant communication with the sick.

If such a disease as *this* be contagious, we may safely affirm that *all* diseases are contagious, however simple in character and causation. As, however, it is to be hoped we are too much enlightened in this latter half of the nineteenth century to believe in ghosts, witches, and other antiquated superstitions of the dark ages, let us also hope that we are incapable of being "frighted from our propriety" by a bugbear which would appear as if invented for the special purpose of un-Christianizing the Christian world. Those who uphold the system of quarantine and segregation adopt that hateful language, "Stand by thyself, come not near to me; for I am holier than thou."\* Their opponents, on the other hand on the arrival of an infected ship at a healthy port would say, "Here are strangers, let us take

\* Isa. lxx. 5.

them in ; they are sick, we will tend them ; they are imprisoned in a poisoned, loathsome, and deadly atmosphere, we will bring them forth into the free air of heaven, and they shall share with us the breath of life."

## THE PREVENTION OF DISEASE.

*(Social Science Congress, Plymouth, September, 1872.)*

I HAVE undertaken to address the Health Section, on the prevention of disease. Will it be held presumptuous in a lawyer to discuss such a subject? I would affirm, as deprecatory of such a judgment, that the prevention of disease is nothing more than the preservation of health; that health is the normal state of man's existence; that we have, as a race, only to adhere to the laws of Nature to secure health; that properly to discover the laws of Nature we must have recourse to evidence, the evidence of our senses, and evidence furnished by facts, thoroughly sifted and well ascertained; that to sift evidence is the business of my profession; therefore a lawyer is justified in discussing a question of health or the prevention of disease.

I do not claim to advance anything new. But if not placed in a new light, it is sometimes requisite to have old knowledge brought to bear so as to guard against the reintroduction of still older fallacies, ignorance long exploded, and superstition erroneously regarded as worn out.

"Disease," wrote a celebrated American physiologist, "always precedes the physician." To our medical friends I would say, "Your special business is to

cure ; it is your patient's business to prevent disease." The study of human physiology forms a proper and necessary part of the education of every man and woman. It is the business of the medical professor in common with all other men, but as a speciality his functions are associated with the cure of disease resulting from a violation of Nature's laws. Let not the medical practitioner assume to himself the sole right to examine and explain those laws. *Ne sutor ultra crepidam.*

I start, then, with the assertion that disease is neither more nor less than a result produced by a violation of natural law. It is often hereditary ; a taint passing down through, it may be, generations, but still originating in violated law : a fact proclaimed by Moses to the Hebrew nation. "The iniquities of the fathers shall be visited upon the children unto the third and fourth generation," whilst "mercy" shall be enjoyed by thousands who respect the law. To restore the diseased organ to its pristine vigour, and re-adjust the balance among that assemblage of wonderful machines which combine to form the human body, may well tax the utmost energies and advanced intellects of a noble curative profession. Nature, however, will only be assisted ; she will not be coerced ; and it is no less the duty of every one to examine for himself the laws of health, and to obey such as he shall conscientiously find to be true, not only for his own personal well-being, both here and hereafter, but for the sake of those who, by the same inexorable but beneficent law, must inherit the blessing, or the curse, through and by means of his habits and actions.

If one of the bodily organs or fluids be hereditarily diseased, it may be said to be poisoned already, and

it is the triumph of the physician's art so to assist Nature with antidotes, or otherwise, as to enable her to invigorate the diseased organ, and establish that even balance which alone constitutes health. If there be no hereditary disease actually or actively existing, there is an almost infinite variety of tendency. The relative degrees of natural strength among the numerous organs will probably never be found precisely the same in any two individuals, any more than two peas, two leaves, or two faces can be found precisely alike. This variation of natural tendency produces what is called, not very accurately, that difference of constitution so often talked about. Every one has, therefore, so to speak, a particular barometer in a particular spot, and this barometer should be consulted with care in all circumstances.

Our subject being the prevention of disease, let me be permitted to assume that some few, at least, of our race are to be found in sound health. How can they surely preserve it? or, in other words, how are they to prevent the entrance of disease? *i.e.* disease not arising from over-excitement or undue wear and tear, on the one hand, nor from lack of exercise or *ennui* on the other; for with these we at present have no concern. I answer, unhesitatingly, by preventing the admission of poison of any kind into the blood. But how may poison enter, and how are we to guard against its admission? (1) Poison may be absorbed into the blood through unwholesome food or drink. (2) By the inhalation of foul air through the lungs, which is sometimes denominated "infection." (3) By inoculation through open wounds, externally or internally, *i.e.* cuts, sores, or ulcers in the skin or mucous membrane.

Whether we may also introduce by absorption

through the pores of the skin, poison exhaled from the skin of diseased persons, which is true "contagion" (though that term is often used so as to include lung infection), is a moot question in epidemic disease, but I very much doubt the possibility.

To take these in the order above mentioned. It appears to me that in the discussion of sanitary questions, by no means sufficient importance is attached to the quality of food ; and especially in reference to the health of the animals used as human food. It ought never to be lost sight of, that whatever poison tends to promote disease in man, will probably promote disease of a similar character in the lower animals. Surely it is incumbent on us to provide against evils and their consequence, as affecting animals whose healthy or unwholesome flesh we consume ! But, except in the presence of some general cattle murrain, do we do so ? I think it must be confessed that we do not. Whereas it must be plain to the meanest intellect, that if unsanitary habits will produce disease in an individual man or family, the like conditions enforced by ignorant farmers, or butchers, upon the ox, the sheep, the pig, etc., will induce disease in these, though no general visible murrain prevail. The horse on the prairie needs no veterinary surgeon, nor does he suffer from horse-grease ; swine in the forest contract no measles ; sheep on the mountains get no small-pox ; nor are "cattle on a thousand hills" in anything like the state of fever produced by steamer decks, railway trucks, and markets, or stalled beasts in metropolitan dairies. I speak not of palpably diseased or putrid meat, occasionally seized by an inspector ; but if civilized and civilizing man would recover and maintain his pristine health, he must be careful by his management not to produce disease in

the inferior animals before imbibing their milk or preparing their flesh, often insufficiently cooked, to introduce either nourishment or poison into the lymphatics and blood-vessels of his own system. Yet not in our towns alone, but in every country lane and village, when passing the cottager's garden, are we not compelled to seek the farthest side of the path, warned by Nature's sentinel that a special manufactory for measles is established in a corner above the open ditch, wherein a poor animal is penned, reeking in filth, with just room to turn about and gorge the washings of that cottage tub, until sufficient poison-charged fat has been raised upon its carcase, preparatory to its slaughter and distribution among the neighbouring not already too healthy human stomachs, or to the dwellers in the still more polluted city? The wonder truly is, not that measles, scarlatina, and small-pox prevail, but that their intensity is not ten times greater than has ever yet been experienced.

I pass over the known adulteration of various articles of food practised by fraudulent dealers, enormous as it is, as well as the deleterious influence of narcotic and intoxicating poisons, because these causes of disease are frequently dilated upon by large numbers of people, and have also been the subject of recent legislation. I will only remark with regard to these latter, that wherever depraved sensual appetite enters into the competition, all considerations of health are, but too frequently, alas! entirely disregarded. The importance of pure water has also been abundantly insisted on of late years.

2. The inhalation of foul air, through the lungs, affords the second of our modes of poisoning the blood. It was long since pointed out by physiologists that putrefying animal excreta, untrapped drains, and



polluted streams, contribute largely to this description of inhaled poison; nor can I think that the overburdening of land with decaying composts may not frequently be charged with injurious exhalations both for man and beast. Rotting swamps and marshes, too, very commonly become a fruitful source of disease in warm climates, especially where the free mixture of salt with fresh water, or sewage, takes place; hence yellow fever in the tropics usually first appears at seaports. But there can be no question that overcrowding, or lung poison, in the exceedingly general absence of adequate ventilation, is by far the most prolific cause of disease. Miss Nightingale, in her inimitable "Notes on Nursing," abundantly corroborates the universal testimony of other advanced sanitary philosophers. Thus, whenever the absence of wind during a damp season, without a drying sun in summer, or congealing frost in winter, produces an epidemic of any kind, it always mainly prevails in dirty, damp, and, most of all, unventilated places. It was shown by the late Mr. Grainger and others, in the truly valuable cholera reports of 1849, that want of ventilation was the greatest promoter of that epidemic; and this view has appeared to me to be confirmed by the fact, that cholera has, without exception, chiefly raged in Russia during the winter, the season there of close stoves and double windows; whilst in England it has been more prevalent in summer, when the ventilating open fire is extinguished. Any one who has ever experienced the corrupted atmosphere generated, even out of doors, by a dense crowd, such as the street outside Exeter Hall, the Duke of Wellington's funeral, the Prince of Wales' thanksgiving-day, or after a review near a gate in Hyde Park, may readily understand (to return for a moment to the food question)

that sheep folded thickly together, with a farmer's view to warmth, or penned in a market, with a dealer's view to economy of space, will scarcely thereby be brought into a better state, either to live, or die for human nourishment.

A very striking example of the value of proper sanitary arrangements has been afforded in London during the late small-pox epidemic. The mortality from that disease during the epidemic year in the whole of London, including Belgravian and suburban districts, where no cases occurred, was 2·4 per 1000 of population. This mortality was mainly furnished by the districts where typhus and cholera, etc., whenever present, always locate themselves; those districts, in fact, which Dr. Southwood Smith distinguished as the "fever nests." In the midst of these districts large blocks of buildings have been erected by the Metropolitan Association for Improving the Dwellings of the Industrious Classes, in which blocks are contained a population, in proportion to the ground area they occupy, four times more dense than that of the surrounding "fever nests" themselves. Yet these dwellings, within which typhus has never entered, cholera never appeared, furnished a small-pox mortality during the year in question of 1 per 1000 of population only, *i.e.* perhaps one-twentieth that of the surrounding localities, if the numbers therein were separately given: the sole explanation for this remarkable difference being that the model dwellings are provided with ventilation and every sanitary appliance, no supervision or interference whatever of any other kind being exercised over the tenants. In fact, sick people have been known to be sent thither from neighbouring hospitals to die, thus unfairly increasing their normal death-rate. As if in special confirmation of the ad-

vantage of sanitary measures, we find, on the contrary, that Dublin and Dundee, during their small-pox epidemic, the following year, just past, furnished a mortality three times and two and a half times greater than that of London respectively; Dublin yielding 76 per 1000 the first six months of this year, and Dundee  $5\frac{1}{2}$  per 1000 for the year. Contrast the healthy condition of the model dwellings, too (having a general death-rate of 16 per 1000, while London at large has 24 per 1000), with the mortality in the British army at home, which, for the year 1870, among 75,305 rank and file, reached  $9\frac{1}{4}$  per 1000. When it is considered that this mortality occurs among picked men at the age of least mortality, whilst the civil population death-rate includes both the infant and the aged, the weak and diseased, as well as the healthy and strong, this contrast will be fully appreciated. Moreover, the military death-rate now never fairly states the case as between that and the civil mortality. Formerly men were enlisted for a long time, and had a pension if discharged sick; they were therefore retained to be treated and die in the service. Now the enlistment is for a short time, with no right to pension; so, on becoming seriously sick, men are discharged at once when possible, and die as civilians. Yet we still have  $9\frac{1}{4}$  per 1000 actually dying in the service. Every recruit must pass two doctors, each of whom subjects him to a searching examination before he is accepted at the age of most vigorous health. Subsequently he is said to be better clothed, and fed, and lodged, than ever he was before; in spite of which the mortality among such picked men, during the ten years of their service, is probably at least double what it would have been were they left alone in their homes.

3. The third mode of introducing poison into the

blood is by inoculating, through wounds, any kind of virus. That this can be effected is too well known to need proof. Small-pox was largely inoculated in the last century, but discontinued in favour of vaccination, and is now made penal. The notion, derived from the Turks, which savoured much of superstition, was that any person having had a febrile disease once, was *ipso facto* less likely, if not altogether unable, to have another attack of the same disease. But what is this disease? A state produced by poison. And for what purpose? Simply to expel that poison. It is Nature's effort to get rid of the noxious intruder. Given the conditions, then,—let the poison be present,—what is the next very best thing to happen but the disease? and especially an exanthematous disease, to purify the blood, by driving out the poison through the skin. When this is thoroughly effected and health restored, it will, in the nature of things, or may, be a long time before the same conditions recur; but should the poison not be all thrown off, or be again absorbed, what but another effort at its expulsion ought to happen, and will indubitably happen (as it often has happened), in order to save, if possible, the patient's life? Accordingly, very numerous cases are on record, of second, and even third attacks of small-pox in the same person. Every medical man knows of such.

It is the same with yellow fever. In 1804, in order to allay popular panic, Dr. Arejula placarded the streets of Malaga with the comforting assurance that nobody could have that disease a second time, and therefore those who had previously suffered an attack were safe. But either that to allay panic was Dr. Arejula's sole motive, or that the assertion was a delusion, has long been patent to all dwellers in

tropical climates where that form of fever prevails; notwithstanding that the late Sir William Pym claimed to have made the same absurd discovery in 1813, at Gibraltar, for which he drew a pension of a guinea a day from the revenues of that fortress to the end of his long life. Superstition has ever been more profitable than sense, or Pym would never have been petted, nor Galileo gyved.

That some other diseases are inoculable has been fully proved, both abroad and in England. Several such cases were brought to the notice of a committee of the House of Commons in 1871, by Mr. Hutchinson, a surgeon of eminence in London. When this fact is considered, in connection with the opinion of that gentleman, and other professional witnesses, that the presence of the disease could not be discovered; and, if inoculated, could not appear earlier than from three weeks to a much longer period after inoculation; also that vaccination officers do not see the children they vaccinate subsequently to the eighth day following that operation; we cannot wonder at the conscientious objection of a very numerous portion of the community to submit their children to a similar risk: and especially when it appears from the registrar-general's returns that many infants under five die of the loathsome disease proved by Mr. Hutchinson to have been unwittingly and unblamably transmitted, by the vaccinator, to eleven out of thirteen adults from one apparently healthy infant's arm. So that if this disease has not been inoculated upon those children so dying, it may have been easily conveyed from them to others, without the practitioner's knowledge or observation. The idea that disease can be prevented by the inoculation of disease, is, to my mind, so utterly unphilosophical and superstitious, that I own to some

impatience in dwelling upon such an absurd contention. In the first place, were it possible, it would be highly undesirable so to prevent what in the course of nature ought to take place for the well-being of the patient; and in the second place, it is impossible, except, indeed, by so lowering the constitutional strength as to cause death, by rendering the person too weak to throw off the accumulated poison. Yet this fallacy has very generally obtained. In its origin we have the unfounded fear of "contagion," so unworthy of a civilized community. The contagion theory assumes that liability to epidemic disease is altogether external, without regard to the state of the individual, and that therefore all are equally liable to attack, which is a simple contradiction of universal history. Surely it should be sufficient to point out—as has been so well done by Dr. Southwood Smith, in the immortal quarantine reports, and other writings, now, but for a time only, forgotten—that far worse epidemic diseases than any which now exist in this country have been altogether extirpated by civilization and cleanliness, without having first swept off the entire human race. It should be noted that the mortality among small-pox hospital patients is as high now as it was in the last century. Have the medical men become less skilful in their treatment, or has some evil influence supervened to weaken the patients? I leave the hospital professors to settle this question. But wherefore arises the special popular dread of small-pox, which is a more beneficent form of epidemic, yielding a greater proportion of recoveries to attacks than probably any other? That this is so, is proved by the fact that whenever small-pox prevails the general death-rate is low. Thus, in the last six months, during and following the severest small-pox epidemic

of the century, the mortality in London has been no less than 4582 below the average of the last ten years. Small-pox, therefore, ought by no means to be made the subject of popular panic, and never would have been so, had not blundering treatment formerly produced that marking so inimical to personal vanity ; but which is now seldom, and ought never to be seen. Since the world was, the weak have fallen a prey to the accumulated force of the epidemic at the time existing, added to the latent unhealthy condition in which it found them ; whereas the strong, not sufficiently acted on by former poisons or habits of insalubrity, resist the force of the enemy, and survive to teach their successors greater wisdom.

Whether the contagion notion be based on actual contact of skin with skin, the infection of peculiar lung poison from the sick, or the newer theory which is about to import cholera by excretal germs floating in the air or water, it comes practically to the same thing as if the disease were, as in truth it is, simply the epidemic influence, or effect of peculiarities of season, *e.g.* extremes, or sudden changes of temperature, undue moisture, etc., intensifying locally existing poison emanations : the weak succumb, the strong resist ; and so it will be to the end of time, in spite of official reports, and scientific whims, fished from the waters of Odessa or Bengal.

These contagion theories have always been most acceptable to the ignorant, and especially to those whose culpability is exonerated or excused by them. Thus, the Irish registrars—who appear to be medical men, in some sort feeling themselves responsible for the health or credit of their districts—invariably ascribe any febrile disease to importation from some other district or distant place. Those who may have

the curiosity to examine the reports made by these gentlemen to the Irish registrar-general for the three quarters ending 31st March last, may thus satisfy themselves, if they please, that no such disease is ever indigenous in a country where the most filthy habits are, by the same identical reports, ascribed to the people. But how, indeed, can we wonder at these ideas from such a source, when, as recently occurred at Ryde, in England—"the land of the brave, the land of the free"—an unoffending citizen can be fined or imprisoned for selling a newspaper not sufficiently disinfected in the opinion of a (miscalled) officer of health, who alleged that by such means disease might have been spread; at the same time stating that he never had carried "contagion" in his own clothes during forty years' practice; going into the air being always, in his own case, a sufficient disinfectant?

Seaports will generally be first affected by epidemics, because the added condition of superfluous moisture with filth is present, ready to affect the unacclimatized stranger, almost invariably the first to suffer—thus furnishing constant and convincing evidence to those who resolutely shut their eyes to any conditions unconnected with the personal transmission of disease. At a seaport, ships are always arriving, themselves not the most sanitary of dwellings, in which the sailor has been well prepared to fall under the newly added poison of the filthy, on-the-eve-of-epidemic-stricken town. Nevertheless, such plague spots as Berlin has been recently described to be by the *Times'* correspondent, the season favouring, will assuredly be the seat of epidemic cholera, as it now is of its precursor diarrhœa, and as it has been of small-pox, far worse than even Dublin or Dundee—assuredly, though no eastern wind, nor stream, nor traveller, carry



"*contagium*" (the latest term invented by "science") through the whole German army drawn up in close cordon, to keep out all comers, and streams, and winds. Assuredly, also, cholera is none the less likely to reach London because 380 helpless infants, under one year old, have fallen victims to diarrhoea within one week (August 10th).

To sum up in a word: if those healthy persons who would prevent disease could consume none but wholesome food and drink; beware of overdoing, which is undoing; breathe pure air, keep the skin clean, take due exercise, and avoid inoculating poisons of any kind, they may defy epidemic disease, though they spend their lives as ministering angels to the sick; always provided the patients be taken out of the reach of the external poison which conduced to the attack, and brought as much as possible within the healthy control of Nature.

ADDITIONAL NOTES. *Health of the Army after careful Examination of Recruits.*—What, after all this care, does "science" first do with the recruit? Poison him, to "protect" him from a disease which he will never have, unless his blood become in such a state as to make it beneficial that he should be so cleansed; and which, that happening, he will have notwithstanding. A recent parliamentary return, No. 328, Session '84, shows that small-pox is never absent, in any year, from the army; and sometimes among these picked lives the small-pox death-rate is higher than among the civil population of all ages and conditions.

*Value of Vaccination Statistics.*—In truth, all vaccination statistics clearly show that among those most injured by that operation, the mortality, when attacked by small-pox, is greater than in those least affected.

Also, that constitutions strong enough successfully to resist one poison can also better resist another than those originally too fragile to have been subjected to the first. Suppose, for example, two travellers—A a robust man, B of weakly constitution—to be in the neighbourhood of those malarial districts in the tropics described by Baron Humboldt, to spend a night in which is almost certain death to the stranger. A, braving the danger, has an attack of yellow fever, but, by virtue of his constitutional strength, recovers. B, warned by prudence, making a *détour*, avoids both the danger and its consequence. Arriving some years subsequently at a filthy town where cholera is raging, both A and B are struck down by that disease ; which has the best chance of resisting the attack ? We have but to substitute vaccination for the marsh fever, and small-pox for cholera, to complete the analogy.

*Revaccination.*—To sustain the inoculation, or vaccination theory, in the face of its general failure, it has recently been the fashion to recommend increased doses ; and truly Sir Culling Eardley, who was killed by revaccination, did not live to die of small-pox, though, but for his fear and superstition, he might probably be living now. And to prove the value of revaccination we have been furnished with such convincing evidence as that, out of 14,800 patients treated in the Metropolitan Asylums Hospitals, only four had been *properly* revaccinated. A student of logic would assert that such statement proves nothing more than the fact that revaccination will not prevent small-pox. There was no attempt to decide how many persons of the class frequenting such hospitals in London had been revaccinated. For aught we know, the four attacked might have been the sum total. But in the absence of any knowledge whereon to found a propor-

tion of those so re-"protected," as alleged, to these four, the reporters innocently fill their own eyes with dust, if not ours, by setting the said four against the 14,800, the great majority of whom had been vaccinated, but were never alleged to have been re-vaccinated.

N.B.—In the absence of any authentic returns, it has been stated (Vaccination Committee Evidence, *qq.* 2973-75) that the general mortality, 1660-1780, was double, and the small-pox mortality twelve times, its present rate, to 1868; but as these proportions, when compared with the birth-rate, would have resulted in leaving the last corpse unburied within about a hundred years from the commencement of the calculation in the former, and sixty years in the latter case, we may take such guesses for what they are worth.

Again, it has been asserted that *only* 263 re-vaccinated German soldiers died of small-pox during the late war, whereas the mortality among the French was far greater. Although no returns are yet published, as we now know that the latter are revaccinated as well as the former, the assumption that they were not, and consequent comparison drawn in favour of revaccination, falls to the ground; and surely little science is needed in finding reasons for a very much higher mortality from epidemic disease among the beaten, dejected, crestfallen, pining French prisoners—many of them raw recruits without stamina of any kind, shut up in fortresses, necessarily overcrowded, necessarily dirty, necessarily exposed to cold, and every privation, without one single ray of hope or consolation, separated from home and friends, in the power of the hated enemy—than existed among the victorious Germans, elated by success in every field, roving freely over a conquered country, feasting on

the fat of the land, supplied with every necessary and every comfort at their option, shouting their national songs, revelling in the triumphant joy with which they would be welcomed on their return by all they held most dear! Moreover, Dr. Stramm, medical staff officer, Prussian army, in a pamphlet condemning vaccination, not only as entirely useless, but positively mischievous, concludes as follows: "I myself have been vaccinated, and twice successfully revaccinated, and yet, in the exercise of my official medical duties during the late epidemic in Prussia, I have been attacked with small-pox in the most virulent confluent form, and been only saved from worse consequences by a speedy change of climate."

*Medical Ideas of "Evidence."*—The following are specimen quotations of medical evidence:—

"The garrison continued in perfect health until 20th October, when, in consequence (as I must suppose) of a breach of quarantine regulations, which, however, could not be detected, a Minorcan family was attacked with the disease."—*Sir William Pym, Superintendent of Quarantine.*

"In no case where the operation was successful, except one or two (except one or two who took the small-pox before the 8th day), did they take the small-pox at all."—*Irish Medical Registrar.*

"He would consider it extremely probable that it [the newspaper] having been set up [*i.e.* the type] by a person while suffering from small-pox, would carry the disease into various parts of the town."—*Ryde Officer of Health.*

"Two nurses suffered from small-pox, one having had an attack six years before; the second was re-vaccinated on arrival at the hospital, but no doubt the poison was in the system before it could take its

proper effect." [No dates of arrival or attack given.] "I would especially call attention to the great value of revaccination, as affording almost certain immunity from the disease; for I may state that not a single case where undoubted successful revaccination had been performed presented itself for admission." [No attempt at guessing even the proximate number of the hospital-frequenting population who had been revaccinated.] "On inquiry I found, to my surprise, that there were thirteen human beings in that wretched place, all unprotected by revaccination. . . . That small-pox has been confined, in the majority of cases, to the poorer classes, does not admit of any doubt. . . . It raged with greatest virulence in the houses of the poor, well fitted by overcrowding, imperfect ventilation, and neglect of sanitary precautions, as well as by the neglect of vaccination and revaccination. . . . It is not at all uncommon to hear the mothers of children asserting that the eruption on the skin, for which they are asking advice, followed after vaccination in a very short time."—*Stockwell Hospital Report, Dr. McCann.*

"It must not be supposed that I believe effective vaccination to be a positive protection against an attack, because I do not, but I consider it to afford at least as good a protection as an attack of small-pox would do. I had under my care a lad, thirteen years of age, who was deeply pitted from a former attack of the disease, and who yet died from the second, which assumed a confluent form. I have seen numerous cases of second attacks of small-pox, and one of a third, and in nearly all the progress of the malady was similar to that which it takes after efficient vaccination."—*Dr. Tripe's Report to Hackney Board of Works.*

*Diarrhœa, &c.*—Oft kill infants, probably unable to bear up against such attacks by the, shall we say, “scientific” State tinkering—which robs them of the little strength they naturally have at the moment “when the struggle for life is keenest.” The deaths from syphilis (chiefly among infants) have doubled in the fourteen years ended 1870.—*Dr. Farr’s Report*. N.B.—Compare with Mr. Hutchinson’s cases, page 325.

The small-pox death-rate among the children in the Bristol Orphan Homes (all vaccinated by way of precaution), equalled the rate of Great Grimsby, though the whole of Bristol yielded scarcely a tenth of that rate (see tables, p. 425). But, according to J. Massey, the small-pox deaths (cases being many) during the last century in Christ’s Hospital were very far less in proportion, *i.e.* not more than one in five thousand of inmates in nine years, or almost *nil*.

## THE CAUSES OF EPIDEMICS.

(“*Medical Circular*,” February, 1876.)

SIR WM. JENNER, president of the Clinical Society, asks, “What are the conditions which favour outbreaks of epidemics?” (*Lancet*, February 25, 1875), and he urges upon observers the importance of reporting all such facts as may tend to throw light upon the inquiry—Are all specific diseases contagious? *i.e.* “from some part of the sick is something given off which can, when properly applied, excite the same disease in another, and which can excite no other disease?” “How little,” he remarks, “is known of what that something is!”

In considering this subject we ought first to settle what is to be received as evidence: (1) of this “giving off;” (2) its proper application; (3) its reception or absorption by others. Mere assumptions have sometimes heretofore been called medical evidences. “In consequence (as I must suppose) of a breach of quarantine regulations, which, however, could not be detected, a family belonging to the dockyard was attacked with the disease,” wrote a superintendent of quarantine. And a certain statistician writes, “It is estimated” so-and-so; “so that if we can assume” so-and-so; “it will follow” so-and-so. And this has been accepted as evidence that the consequence in-

icated *must* follow ! But can such reasoning be admitted by any scientific body of men ?

Before decisively attributing the communication of disease to contagion from person to person, is coincidence to be deemed possible ? Or that exposure to like causes may produce similar effects ? And is the previous state of those thus said to be infected to be taken into account ?

A child convalescent after measles arrives among a family of sixteen, and "one only takes the disease." Another having the disease comes from school amongst eight others, only two of whom suffer, all being freely exposed to the poison.

Seven out of ten young men contract typhoid fever in the same house, without communicating the disease to any one on returning to their respective homes. One, out of several clinical students, sees a case of small-pox in a large hospital ward, and takes small-pox.

An obstetric practitioner, having several cases of puerperal fever, believes that he had communicated the fever from one to another by his hands ; these either not having been sufficiently disinfected, or, as another suggests, through the perspiration of moist hands.

Enteric fever breaks out in Marylebone, and it is reported that milk from a particular farm, having been supplied to that neighbourhood, must (though many escaped) have conveyed the poison, through well-water impregnated by soakage from piggeries, etc., having been drunk by the cows and mixed with the milk.

Sir Wm. Jenner points out the effect of constitutional proclivity to particular diseases ; also that too little importance is attributed to bodily condition, or "out-of-healthiness," arising from erroneous habits



of living. He further dwells upon the production of typhoid by imbibing excreta in water used for drinking purposes.

The object of this paper is not to dogmatize, but simply to suggest investigation. Nothing perhaps is more easy than to be led into fallacy in the consideration of evidence as to the communication of disease; especially if the investigator has any preconceived ideas on the subject.

Taking the cases above mentioned in their order: it is so common for children to have measles, that most people consider it essential to the child's welfare that an attack should be suffered. May not the arrival of a convalescent among the sixteen, one of whom got measles, be a coincidence merely? Might it not be that bacon or pork in an unsound state, or pastry made with lard, may have been consumed by each patient nearly at the same time? and that the tendency about the period and neighbourhood, in each case, towards any exanthematous disease, whether an epidemic prevailed or not, was towards measles? Ere accepting bodily contagion as the all-sufficient cause of measles, or any other eruption, would it be well to inquire carefully into all the dietetic habits, the local surroundings, and the physiological condition of the patient in every instance?

Why may not measles be sometimes inoculated by the ointment applied to wounds? A vast deal of ointment is sent about the world, and lard probably forms the foundation of most of it. Excess of fat is disease in any animal; measles is peculiarly the swine disease; hogs are grossly fattened before being killed (to save their lives); and this most unwholesome part of their carcase is melted down for town-made butter, confectioner's or domestic pastry, and ointment

by whomsoever manufactured. Might not the microbe be here usefully applied?

Of the seven young men who contracted typhoid, while located in one house, probably each returned to a healthy home, properly ventilated, free from local impurity, and where the diet would be exempt from some probable irregularities practised in the infected house.

The fever wards of our London hospitals claim, of late years at least, to be well ventilated, and it is generally admitted that under such conditions fever does not spread. There was perhaps, therefore, nothing remarkable in the clinical students escaping typhoid. And as it seems only on one occasion that one alone out of several suffered an attack of small-pox, after seeing a patient in the wards, is it quite impossible that some other conditions, such as "out-of-healthedness" of this student, poison in some other locality he had visited or lived in, etc., might have been coincident with his visit to the hospital?

Much has been said upon the conveyance of disease by drinking water, as well as "germs" through other sources, bacteria, etc. Has each investigator been careful to inquire, whether or not the person attacked in the house supplied with impure water, was in the habit of drinking water at all? Intemperance is one of the most prolific causes of fever; and it is by no means uncommon for intemperate persons to deride the very notion of ever tasting water. Like the Hollander—

"Of water alone he drinks no more  
Than a rose supplies  
When a dew-drop lies  
On its bed in a summer morning."

Again, if cooking or tea be pointed at, may it not be useful to investigate what effect in the purification.

of noxious matter, held in aqueous solution, is produced by boiling such solution ?

With reference to enteric fever from milk, it is well known that any poison taken into the animal system, will be cast out by dame Nature by the readiest available method. Hence, during lactation, any impurity imbibed by the mother may, by killing the infant, be prevented from injuring herself. So if these cows really absorbed water proved, by chemical analysis, to contain sufficient foul soakage to have diseased the animals themselves, had they not been giving milk at the time, such milk would undoubtedly be unwholesome. Perhaps it was found that other animals on this farm, drinking the same water, *e.g.* bulls, heifers, pigs, sheep, etc., *were* all more or less diseased ?

But if soakage through a considerable quantity of earth from so small a surface is capable, indirectly, of causing so much mischief, what epidemics might not be ascribed to the over-manuring of large tracts of highly farmed land in moist, open, calm seasons, by impregnating the air of neighbouring districts to leeward ?

Was it satisfactorily shown that in no case could either the local surroundings in Marylebone, or any habits of the patients, unsound food, or other cause, have induced this outbreak ?

Had, for instance, such an innocent expedient as revaccination been rife in that neighbourhood ? If so, what was the lymph supply ?

In considering the causes of puerperal fever most especially, should not the peculiar state of the patient be taken into the account ? Both strength and endurance then are sorely tried. The nervous reaction, as Dr. Richardson has well observed, must be immense

by the stoppage—almost equivalent to the loss of a limb—of one kind of nutrient process through the blood; and the commencement of another in lactation. We surely have here a concatenation sufficient to produce the keenest susceptibility to any added cause or poison. What were the habits of the unfortunate obstetrician in regard to ventilation? Did the unlucky nurse allow her patients to poison themselves, aided by their attendants, from the dread of an open window? Of all aids to cholera, the defunct General Board of Health found want of ventilation, or lung-poisoning, the most pernicious. Again, in each case should we not ask what was the physiological condition of the patient's blood? Was it such as to be highly inflamed by a scratch or rupture? Had it been receiving nourishment from sheep-pox mutton, from measly pork, vitriol gin, cocculus porter, or sewer-water tea (if boiling does not destroy that evil)? Was there any hereditary disease or tendency, etc., etc.? Should not all these questions be sifted thoroughly, before a sapient judge allows an ignorant jury to convict a nurse of manslaughter, or a medical practitioner accuses the moisture from his hands?

Sir Wm. Jenner, in regard to small-pox, pronounces it to be eminently contagious, and states that "by vaccination we prevent its occurrence." But seeing that in the years 1871-1872, "upwards of 44,000 deaths were registered from small-pox in England; that 62 per cent. of these were under twenty years of age in 1871, and 72 per cent. under twenty in 1872 (vaccination having been compulsory nineteen years), can we safely assume that all these persons were anti-vaccinists; or must we conclude that further investigation is necessary ere we dogmatize too confidently—the undoubted fact that small-pox was much more

prevalent prior to the vaccination and sanitation era, especially when inoculation was freely practised, notwithstanding?

It is well known that in warm climates yellow fever patients have been frequently nursed with impunity, when taken out of the focus of infection, and conveyed to neighbouring high lands. People were often much influenced by fear of contagion, however; so much so, that when, at Rio de Janeiro in 1849, the Russian ambassador visited the yellow fever hospitals, the British consul was compelled to report that "that distinguished man found none to imitate his example." Yet there was no hint of his having caught the disease.

True, such contagion-fears have influenced the populace, and led to neglect of the sick through quarantine laws, and various other ways; but is such a humane or manly feeling? Should not medical men seek for every means of averting the evils it engenders? Does not the kingdom blush when a poor woman, suffering from cold and privation, and pronounced to be "feverish," is turned out of her lodging forthwith for fear of contagion, and, being refused admission at two other places, dies on the stones? Yet this happened in London last year! reminding us of the Spanish sailor with yellow fever, dragged for three hours at night, by a rope round his neck, to an uninhabited lazaretto, and there left, without water or attendance, to die! How many have been sacrificed to this fear! And what have we arrived at now? When, in the present day, it is proposed to erect a fever hospital, the populace or the property holders rise almost in arms against it. The sick are not to be treated, forsooth, lest "contagium" should fly out of the windows!

Perhaps we cannot wonder, when so many stories have been published to prove that disease of various kinds has been imported by ships. Yet, if we would look into the matter, could any port exist without the perpetual arrival of ships? Could, according to this hypothesis, any local miasm ever engender disease? The unacclimated always suffer first from want of seasoning. Are not the crews of ships precisely in that condition? Plenty of local predisposing causes exist within the ship, probably, to make the crew more liable to be affected by the superadded poison as soon as the shore breeze shall waft it towards their vessel. Will these not be naturally first struck by disease in an about-to-be-epidemic-stricken port?

But why the port before the inland town?

Do we not know that the mud banks of rivers—the marsh land—and, above all, the mixture of tidal salt water with the foul fresh, are among the worst sources of febrile miasma? Hence importation by ships will always be a readily improvised cause of disease; yet may it not be in almost every instance a complete fallacy?

The newest importation story is the introduction, "it is believed" (this is quite sufficient evidence), by H.M. ship *Dido*, of measles into the Fiji Islands. The islanders may possibly have been most cleanly in their habits, and they may never eat pork, therefore it may be the more easily "believed" that the ship did the mischief, like all the other ships before alluded to. And it seems evident that the rushing into water holes by the sick, the neglect of the dead so that the pigs mangle the bodies, and the noisome effluvium therefrom, have as yet taken very little of the blame for the unwonted mortality from the unlucky *Dido*. But may not this state of things suggest the proba-

bility, that missionary reports of whole tribes having formerly been swept away by small-pox, rested on possibly questionable grounds, at least as regards the virulence of that eruption had it been left to nature or sensibly treated?

So also the low-lying and dirty parts of a city or heavily manured rural district may, in a moist open calm season, emit foul vapours, which, not concentrated enough to strike the acclimatized inhabitants of that district, might nevertheless be just wafted by a gentle breeze against some neighbouring hill-side, the dwellers on which, themselves provided with sanitary appliances, and therefore unused to the poison (but plenty of other evils co-operating doubtless), shall suffer an epidemic, and wonder whence it came, groping after some fanciful contagion story; and if the first person attacked can only be said to have been within any known distance of another patient having a similar illness, or even to have received a letter from such an one, the world is satisfied, and the real cause is overlooked. It is suspected that this was the case at Norwich a year or two since.

With reference to the general effect of any particular epidemic influence, may it not be commonly felt, without in numberless instances producing the specific epidemic attack? At Baltimore, in 1850, all the inhabitants felt uncomfortable and "out of sorts," yet no cholera occurred, because the town had been thoroughly cleansed as a forewarned precaution, except in one spot, which had been overlooked—a filthy marsh close to the workhouse. Here cholera broke out, on that side the house only. The cause was found and removed, and the cholera stopped.

Thus also, in 1849, the writer of this paper, then attached to the General Board of Health, working

with and among cholera-visiting people, sitting up sometimes three nights a week over cholera statistics, etc., distinctly felt the epidemic influence throughout the season, in uncomfortable sensations, but had no fear of contagion and suffered no attack. When, in 1853, he visited every house in Croydon where a death from the famous fever of that year had occurred, the epidemic had passed off. He saw one case only, a poor girl moaning in a room with a window that would not open, and vainly remonstrated with the mother; but the marsh miasm which appeared to have produced that outbreak had then been dispersed by genial sunshine. At the request of a philanthropic peer he visited Tyndall's Buildings, Gray's Inn Lane (now swept away), to take a night census of the population there crowded together. A great variety of surroundings existed even there. A general average of disease-generating dirt (as well as of character requiring the guard of a detective).

Why, however, is it that epidemics prevail at one time, and not at another? And why in varying form? Has sufficient attention been directed to differences of season; dry cold winds producing lung and throat disease tendency; hot and moist or mild and wet seasons inducing exanthemata in forms varying in accordance with accompanying circumstances? May not these circumstances of season be far more closely investigated? Has, for instance, small-pox any favouring conditions brought about by excessive moisture? 1871 was wet in the south and about London; in 1872 the rainfall was above the average in the north: was it so in Scotland and Ireland? and was it so concurrently with the small-pox epidemic in those countries? There was no small-pox in 1871 at Tewkesbury, yet the average of ten years previous



shows that disease to be generally far more prevalent in that district than in the surrounding districts.\* Does this arise from the flooding produced by the confluence of the rivers there?

If so, was 1870-71 drier than usual?

If it should turn out that difference of season develops from local causes different tendencies, so that the disease, ever ready in unhealthy (improperly stimulated, under or over nourished) bodies to take shape from the added conditions of the season, greatly influenced it may be also by the prevalence or absence of wind and storm, then we should have surely almost enough to explain any epidemic. Still it is commonly believed that there is yet something else requisite beyond the physiological state of the persons attacked, and beyond the development of local causes, modified by season, to account for most epidemics.

It may, then, be well to ask whether such super-added cause might not be engendered at sea, during calms, under a tropical sun, or by volcanic action, destroying marine life,—foul vapours conveyed by subsequent breezes, divided by ocean currents and gulf streams, aided by mountain draughts, and blown hither and thither chiefly along the course of rivers to aid in developing the almost-ever-sufficiently-present previously existing causes towards an epidemic outbreak? When ocean calms are long continued, the water appears to lose its vitality, and to become a mass of decomposing material. Strange-looking jelly-like masses and animal monsters are formed without

\* There was one single death only from small-pox in Bath during the great 1871 epidemic, so general throughout the country; but in 1880, when there was no general outbreak, Bath suffered a considerable mortality. These cases occurred in or to leeward of Dolemeads, a low damp district, subject to flooding. Was there a flood in 1880, and was such cause absent in 1871?

limit. Sir Richard Hawkins, in his account of calms, in 1593, as the cause of sickness, writes : " Were it not for the moving of the sea by the force of winds, tides, and currents, it would corrupt all the world. The experience I saw in 1590, lying with a fleet of H.M. ships about the islands of the Azores almost six months, the greatest part of the time we were becalmed ; with which all the sea became so replenished with several sorts of jellies, assuming the form of serpents, adders, and snakes, as seemed wonderful: some green, some black, some yellow, some white, some of divers colours, and many of them had life, and some there were a yard and a half, and two yards long ; which had I not seen, I could hardly have believed : hardly a man could draw a bucket of water clear of some corruption."

Or, as Coleridge has it—

"The very deep did rot."

Should intelligent investigation lead to the discovery that we may look in this direction for one of the originating causes of special epidemics, it may be for science, if possible, to invent some method of protection for a country like India, for instance, from such noxious air-blasts as may probably be prognosticated by meteorologists, and forewarned by telegraph, in the same way that the hoisting of the drum now warns the mariner to seek safety within harbour from impending storm.

If ever such a time arrive, well shall we be able to afford to place all fears of mere contagion from person to person among the exploded superstitions of a by-gone age !

## ON HEREDITARY TENDENCIES.

*(House and Home, July, 1882.)*

AMONG the phenomena of Nature few are, perhaps, more wonderful than the almost infinite variety in the forms of organic life. In the vegetable kingdom plants of all kinds have numerous varieties of species, depending probably on differences of soil and climate; and though one characteristic may pervade the whole of a particular family, such distinctive character fades off towards that of another, so that two specimens of different families almost as nearly assimilate as any two of the same. As an example, there are one hundred and fifty varieties of the oak.

In the animal kingdom this approximating tendency is no less conspicuous; and any visitor of the natural history collection in the British Museum may observe how nearly different species of beasts and birds converge towards each other. The tenants of the land, by almost imperceptible degrees, appear, on the one extremity of physical conformation, to descend into the water; on the other, to ascend into the air. In the same way, the instinctive and reasoning capacities seem to proceed upwards, step by step, from the serpent to the monkey; and almost at the stage where the latter leaves off, in the orang-outang, chimpanzee, and gorilla, the lowest order of man

begins. So, also, in the human race : from the Cingalese, through the Negro, the Mongol, and the Sclav, we at length attain the full grandeur of the Teuton.

How are these changes, at once manifold and minute, brought about? As a general rule, it would appear to be mainly by habitude. Thus, to confine our view to the highest order of mankind, and for a moment to outward physical conformation, or appearance, it will very generally be apparent that the children of a man of a well set-up figure will naturally be more erect, and their joints better knit, long before any influence of education or drill can be exhibited, than those of an awkward, slipslop, ungainly person. So much is this the case, that we may often see men who have passed several years in the army fall back readily, after their discharge, into their natural slovenliness of carriage, while, on the other hand, the inheritors of a manly bearing, who may never have been under the drill-sergeant for an hour, will retain their inborn grace through life.

If we leave the outward appearance, and contemplate the internal physical organization of man, we find a vast assemblage of organs and systems, the health and proper functional performance of which depend, more or less, on the maintenance of a correct balance among the whole ; for complete healthy action can only be maintained when there exists an exact balance of sound function and result among the complete system of organs composing the human body.

Given a body completely and evenly balanced in every minute particular, throughout the entire organism, and, so long as that balance is maintained, there will be an example of perfect health. But how is such equal balance to be secured? Obviously and only by rigid attention to the laws

which govern the healthy function of every organ. Where, then, shall we look for this specimen? and where shall we find this necessary attention towards its conservation?

The answer will be difficult, or rather, alas! in civilized life, far too easy; for it must be confessed that the only correct answer must be, "*Nowhere!*"

Unfortunately, it is too much the fashion of our time to suppose that health is only to be attended to by a profession set apart for the purpose. No individual member of the community seems nowadays to consider that it is his business to attend to his own health. Whilst they feel well, people will not believe that any actions or habits can conduce towards disease and pain. They act, at least, as if they thought that health is their natural inherent right; that nothing which they themselves can do will in any way conduce to the production of ill health; that if such affliction comes, it is in no degree the result of causes over which they have any personal control; and that, provided they consult and remunerate a professor of the healing art, he is morally bound to reproduce the health which, but for a moment, as they hope, appears to have been lost. It is, in fact, his business, and in no respect theirs, beyond the payment of the fees. The doctor makes his living by his art. If he fails to bring about that for which he is paid, he commits a wrong in his patient's estimation, and is blameworthy in proportion, whatever the suffering may be. And not only so, but the practitioner who, in prescribing, most nearly conforms to the customary habits and preferences of his patient, will best secure the favourable opinion of such patient.

It is unquestionably true that epidemic diseases have very much diminished during the present century,

as the result of attention to what has been denominated the science of "public health." The various legislative measures which have been enacted have well-nigh abolished the almost universal air-poisoning which formerly prevailed, and which, when aggravated by solar heat, excessive moisture, etc., every now and then produced the outbreak of extensive plagues, carrying off a large percentage of the population; the victims being always those who, by reason of some other weakness, either hereditary or acquired, were least able to resist the superadded morbid influence of the hour. The drainage of towns and houses, surface cleansing, ample supplies of water for personal ablution, the suppression of overcrowding, and improved methods of ventilation, have nearly exterminated certainly the worst, if not the whole, of the zymotic class of diseases; and yet it must be confessed that the average death-rate, as exhibited by the registers, has not been reduced in anything like a corresponding degree. Civilization advances outwardly: but, at the same time, wealth has increased; wealth begets luxury; and appetite, or rather the artificial contrivances of cooks to stimulate and gratify the palate, in the absence of healthy appetite, has engendered, among the people at large, habits of life greatly tending to the production of organic disease.

In this state of things the evil result creeps on by slow, but by no means less sure, degrees. As, day by day, any vicious habit is repeated, so, step by step, unseen morbid action is set up. For a long time unfelt and unsuspected, the accumulated suffering, after many years perhaps, falls like an avalanche on the probably innocent offender against natural law. He has most likely inherited a weakness or diseased condition of that organ which he has been uncon-

sciously misusing. He has, as likely, been educated to the belief that his treatment of the very organ he has abused is the best which could be adopted. He strengthens the tendency to weakness and disease, which he inherited from his parent, and transmits the same tendency with manifold force to his unhappy children.

The need of examining the true conditions of healthy life seldom suggests itself to our ordinary citizen of the world. It never occurs to him as a duty. To study, by observation of the habits of the different races which occupy the globe,—by the aid of comparative anatomy, as between man and the lower animals, having no means of violating natural law,—and by regarding morbid, as contrasted with normal appearances, never seems to enter the mind of the general gold-seeker of our age!

The blood and lungs require pure air, the stomach and assimilating organs wholesome food; the nervous and circulating forces must have nourishment of a proper character, and the muscular powers due exercise; while the excretory organs should not be overtaxed, nor any of the whole allowed to suffer from excess. As soon as its own proper law of right is departed from, or neglected, so soon will disorder commence, from which, though it be hidden for a time, suffering must infallibly ensue; and as time lost can never be regained, so true is it that injury inflicted in any organ of the body can never be entirely repaired. If no compensatory power existed among the organs of the body, by which one may be induced in a great degree to perform the work of another, weakened by ill-treatment or neglect, then such treatment of any one would of necessity speedily result in death; but as that power does exist, mankind are

deluded, by the mere absence of pain for a time, into the belief that no evil has been, or can be, caused by habits to which they have been accustomed, and to which they may have become wedded by appetite or passion. A continuance of any erroneous habit or action, however, surely, though it may be slowly, impairs the function of the ill-used organ in every case, until acute or chronic disease is confirmed ; and when the compensatory organs can no longer bear the abnormal strain thus put upon them, death ensues.

The process, however, may be a long one ; and such is the power of adaptability in the human body, even to evils of the most serious nature, that very many years may pass before dissolution occurs. Meantime, men and women marry, children are born, whilst the causes of disease in the particular case may be most actively present, and whilst, therefore, impaired function in the ill-used organ, or organs, is at its height ; and thus "the iniquity of the father is visited upon the children." In the offspring the corresponding organ will be weak, if not actually diseased, from the disease existing in the parent. The habit of the son may be such as to carry on, and therefore aggravate, the weakness or disease ; and if so, the tendency may be, even in greater force, transmitted by him to sons and grandsons. Or, attention to the incipient weakness may lead to a change of habit, and consequently an amelioration of the suffering ; for it is not unfair to presume that Nature, under favourable circumstances, being able to maintain healthy function, may also be strong enough to correct the evils arising from unfavourable conditions whenever, and exactly in proportion as, such are removed.

The almost total extermination of leprosy, once so



common in our island, is a notable example of this power.

This transmission of similar tendency, weakness, or power in any internal organ of the body is, in truth, not a whit less natural or more wonderful than the well-observed resemblances of figure, tone of voice, facial expression and likeness. A remarkable instance of family likeness through successive generations was not long since incidentally forced upon the observation of the writer of this essay. A relative who had emigrated to Australia in early life and made his fortune, on returning to England was very desirous of setting up his armorial bearings, which had long been disused by his stay-at-home and less wealthy cousins. Heralds' College was invoked to record the family pedigree, and a very respectable one of ten or eleven generations was clearly established. Curiously enough, it happened that a gentleman of the same name, but apparently no relation whatever, called on the writer about this time, making inquiries concerning the same coat-of-arms, to which he considered himself entitled. The new inquirer fancied there must be property in the family to which he might lay claim. On examination of the pedigree, it turned out that this gentleman was in truth descended from a common ancestor nine generations back; but the remarkable part of the story is, that the stranger bore a much greater facial resemblance to the writer's own father, than himself or either of his brothers.

That mental and moral qualities are to a very considerable extent traceable from generation to generation in the same family will not be questioned by any one. Numerous examples are on record of most remarkable characteristics of this nature being handed down from father to son, in some instances

through a long line ; nor, indeed, are such less traceable in nations. The physical conformation is scarcely less distinctive than the mental force, or the moral tone. This is a matter on which all observers and all historians agree. It is, in fact, a mere truism to state that which is so universally obvious. Indeed, it only appears extraordinary that it should be necessary to insist that the force of habitude can hardly be less powerful in relation to the internal physical organism.

As in all cases healthy exercise promotes growth and vigour, so excess or abuse of power induces exhaustion or collapse ; while, on the other hand, want of exercise, by lassitude and inanition, alike establishes absence of power and decay. The increase of muscular development in those who labour within bounds is witnessed by every one, and is universally understood, as also the physical inanition of the idle. This law no less applies to the nervous system, and, indeed, to all others. The glandular, the circulatory, the excretory systems of every living person are either being strengthened or impaired, from day to day, and hour to hour, during life. And it may be accepted as no less certain, that the neglect, and consequently impaired function, of any one will act upon and, however indirectly to our perception it may be, impair to a corresponding extent the vigorous action of all the rest. Thus the student who, by a too concentrated attention to mental pursuits, altogether omits to exercise his muscular frame, however he may develop his brain power by constant application, will never attain the amount of mental vigour which he might have done, had the healthy action of the muscles been secured concurrently with his mental exercise. At the same time, his digestive and assimilating powers diminish, the circulating forces are

impaired ; and it follows that his children, born at a time when the general condition of his animal constitution is thus degenerated, may indeed, if the brain has not become diseased, prove to be brilliant writers, but in all probability will be miserable dyspeptics. But should our parental example have carried on his excess and neglect so long that his own brain has become diseased, his offspring, under such conditions, may be deficient in intellect, if not altogether idiots. If we consider the case of those who habitually indulge in excessive appetite—the glutton or the sot, who to gratify such desires totally neglects all other pursuits, and allows his mind to become a blank—no less will it be apparent that such utter lack of mental exercise, coupled with the ruin of the nervous system in general, may, and often does, result in the transmission of idiocy to the child.

The major includes the minor. If, then, such terrible effects may be produced and transmitted by abuse or neglect of brain power, so also may the manifold diseases to which the cerebro-spinal system is liable—such as apoplexy, paralysis, in all its stages, etc. A parent over-anxious concerning his or her duties and responsibilities, toiling, self-denying, and fretful ; and during long years absorbed by increasing mental and bodily effort for the welfare of a numerous family ; may easily induce a state of chronic nervous excitement, which may end, in later life, in slow paralysis, especially if the previous ancestors were occupied chiefly with mental pursuits. And the children will exhibit a similar tendency, more or less rapidly as their habits of life may tend to excite, or to soothe, the brain and nerves.

Let us for a moment glance at the osseous system. As one example, hot and soft food has a powerful

influence for evil upon the teeth, and still more so have mineral poisons. The age of mercury is past, but the effects produced by this bane during the period when its exhibition was almost universally resorted to by the faculty, and perhaps even more commonly used by the domestic dispenser of the deadly drug, because from the absence of taste it was so easily administered in the form of calomel to children and young persons, will yet long be felt. It is in the present day extremely rare to find a set of naturally sound teeth beyond the period of middle life. The profession of dentistry is one of the most thriving of recent times. Although cookery and hot drinks have much to answer for in keeping up this tendency to dental decay, there can be but one opinion as to the inheritance of the evil of mercurial poisons from our immediate progenitors.

Blood diseases, to take another class, are constantly observed to be transmitted from generation to generation. The members of the school of medicine, which founds its pathological researches upon the presence or absence of any corrupt humour in the blood, are most careful to insist on this hereditary tendency. And it may not be unfairly argued that, if it be true, as they assert, that bad humours may hang about the system, and vitiate the blood through a long life, the same humours may be transmitted to children. Improper food, want of ventilation, or other insanitary habits may tend to aggravate and increase the humoral taint ; while attention to strict hygienic rules may as naturally diminish or relieve them ; but the tendency, for weal or woe accordingly, remains.

There are many ways in which the blood may be contaminated besides unsound food—such as poisons of various kinds, narcotics, etc., impure water, diseased

milk, and indigestion from over-eating. Contributions daily supplied from some or all of these causes lead the way towards an aggregation which may be months, or years, in producing appreciable disease. They may lay the foundation for eruptive fevers, sporadically or during epidemic periods ; or they may indirectly, by debilitating the stomach, add to the suffering caused by disease in some other organ, a tendency towards which may have been induced by other vicious habits, in the individual or his progenitors. In addition may be stated the contracted taints by vicious indulgence—scrofula, cancerous affections, etc., any of which, it is lamentable to think, may be as readily transmitted as they may be inherited. It is, alas ! an infallible truth that to corrupt the blood is easy ; and more lamentable to know that, once corrupted, by whatever means, the purification of the blood, under the manifold counteracting influences of civilized life, is a work of extreme difficulty. If, as is the fact, marks from the cross-budding of a rose have been distinctly traced through fifteen separate and subsequent inoculations, just so much greater, by the unphysiological habits of mankind, must be the difficulty of eradicating any corruption of blood from a family of human beings through successive generations.

The health of the blood, moreover, must in a great measure depend on the condition of the lungs ; and these, again, are dependent on the quality of the air with which they are supplied ; as is also the blood, once more, on the quality and quantity of its aeration. Neglect of adequate ventilation in houses, especially in towns ; the noxious exhalations from ditches, drains, compost heaps, and gutters promote lung disease, probably even far more than exposure to climatic changes. If consumption is not inherited it

is readily set up by such causes as have been above indicated ; and once established, the tendency can but be as easily transmitted. Unfortunately, the transmission takes place in these and many other cases before the presence of the evil is suspected in the parent.

The glandular system, which is to so large an extent overtaxed by the vicious habits of the community, is, according to the returns of causes of death, becoming more and more the seat of disease and pain. Not absolute drunkards alone, but habitual soakers, turn their excretory organs into so many sponges for the perpetual absorption, and more and more feeble rejection, of poisons innumerable. The quantity, also, is fearful. All spirituous and vinous stimulants, drugged beer, the whole family of narcotics, and too often more active agents administered in the shape of medical remedies, impose an enormous amount of labour on these wonderfully elaborated and delicate organs. As one consequence, may be noted the alarming increase in the average annual mortality from renal diseases of all kinds. Weakness in these excretory organs, inherited undoubtedly from diseased parents, is as certainly increased by the ever-growing luxurious habits prevalent among the people. Where self-denial is neither cultivated nor understood, desire alone induces gratification, which too rapidly passes into excess ; while the subsequent craving, which results from the nervous depression caused by over-stimulation, only re-creates the apparent necessity for re-entering upon the perpetual debauch. Within living memory the mortality ascribed to renal diseases alone has increased nearly two hundred per cent., as exhibited by the tables (p. 252) of the annual report of the registrar-general for 1877. (See page 443.)

Again, the excessive stimulation produced by the large consumption of alcoholic liquors abnormally excites the circulatory forces; and this excitement is also often aggravated by self-imposed anxiety. Luxury necessitates expense, while competition lessens gain. The parent has created numberless wants, which, it may be, loss of character renders him less and less able to supply; and carking care affords its aid to the perturbations of excess, to increase more rapidly the tendency to heart disease inherited from a perhaps respectable but over-anxious parent, as well as to fix that tendency, with greatly accelerated force, upon generations yet unborn.

All these hereditary tendencies and contributory causes may, no doubt, be aggravated or diminished by the force of natural temperament, which varies so greatly among people of the same race, and even of the same family.

To examine minutely each one of the causes which has been enumerated, its consequent manifestations, and the effects of each, would supply materials for several volumes. So widely do these influences extend, that the only concise reply to the question, "What is the range of hereditary tendencies in health and disease?" must be that it is infinite! but that any such may be either intensified by the habits of the individual, or modified, or, even by the action of a few generations in the right direction, altogether eradicated.

It is obvious that where few or none are healthy—absolutely sound—too great a particularity would altogether put an end to marriage. People, therefore, can only be expected to be moderately careful in this regard. But, as obviously, it is all the more incumbent upon us as a nation to resolve that from our

personal habits there shall be no further deterioration ; that our utmost shall be done towards improvement. And when, if ever, the period shall arrive when cultivated human beings shall awake to the profound responsibilities of human life ; and every man, and especially every parent, shall find himself impelled seriously to examine for himself into the laws and practices which conduce towards the development of "a sound mind in a sound body," the more apparent will that truth become to him and her and to the world, which as yet none deny, but few put in practice, that "the proper study of mankind is *man*."



CORRESPONDENCE WITH THE LATE  
LORD LYTTELTON.

*INTRODUCTION.*

THE first Act to make vaccination compulsory was introduced in the House of Lords, by the late Lord Lyttelton, and passed in 1853.

In reply to an inquiry made in 1870, by Mr. R. B. Gibbs, his lordship wrote, that in introducing his Bill of 1853, he took it for granted that there was a general consent as to the value of vaccination, and that the medical men he chiefly consulted were Dr. Seaton\* and Mr. Marson.†

When Dr. Seaton stated to the Vaccination Committee, 1871, that this Bill had been introduced without the knowledge of the Epidemiological Society (he having been secretary to the Small-pox Committee of that society), Mr. Baker wrote to Lord Lyttelton, asking whether the impression in his mind was correct—that his official colleague, Mr. Grainger (who was chairman of the last-named committee), had been active in procuring the introduction of the Bill; to which his lordship replied—

\* Afterwards medical officer to the Local Government Board.

† Vaccinator to the Local Government Board.

Hagley, Stourbridge, 8th October, 1871.

SIR,

It is so long ago that I cannot be quite sure, but I think certainly the Bill was not suggested by the Epidemiological Society nor by Mr. Grainger, though they both took it up very warmly and were of great use, as were Dr. Seaton and Mr. Marson. I believe it was suggested to us by the course of events, and I talked it over with the late Mr. W. B. Collis, solicitor, of Stourbridge, who drew the Bill.

Yours, etc.,

LYTTELTON.

T. Baker, Esq.

Subsequently Mr. Baker had the correspondence with Lord Lyttelton herein set forth, all further communication being ended by the lamentable death of his lordship, in April, 1876.

### CORRESPONDENCE.

Kingscote, Wokingham, 17th August, 1874.

MY LORD,

My name may not be unknown to you as connected with the Ilminster School Trustee Case, 1860; and during my official engagements at the General Board of Health, Burials Office, Royal Commission on the Sanitary State of the Army in India (*vide* signatures to Report and Précis of Evidence, etc.), I have been in personal communication with—[several noblemen and gentlemen doubtless personally known to Lord Lyttelton]. In 1871 I addressed a note to your lordship, for the purpose of satisfying myself whether or not you had been deceived in the course taken by you in 1853 in reference to vaccina-

tion (the late Mr. Grainger having been for many years a colleague of mine), having always considered that your action on that question was well meant, and entitled to respect. In the belief that personally to examine the whole subject of vaccination cannot but be congenial to your feelings—considering that your name is associated with the original legislation thereon—I beg leave to call your attention to this important question. If you were right in that action, you can only receive pleasure from satisfying your own judgment, from the results, that such was the case; and that your name will be honoured in future ages for the part then taken by you. If wrong, how much more anxious would you be, that through your own personal efforts, that wrong should be atoned for, or set right, even although you were led by others to be instrumental in the evil. It was your action in 1853 which induced me to go thoroughly into the question, and I am still open to examination and conviction, if I have been led to conclusions differing from your lordship. You must be aware, however, that good or ill, the compulsory legislation has brought the powers that be into contempt, with many thousands of otherwise law-abiding citizens; that very much persecution of the most cruel kind (though not intended by you) has been practised by unconstitutional straining of the law; and that, in the opinion of a large section of the community, a very considerable increase\* in the general death-rate has resulted from its operation. I do not presume to flood you with literature on this subject, but have a strong desire to personally attend your leisure, if you would permit me to do so, at the time and place most convenient to

\* Rather, diminution prevented. The increase is in inoculable causes mainly. (See pages 430, 443.)

yourself, for the purpose of deliberately going into the matter, with the assistance of such official Returns and Blue Books as are possibly in your possession, *e.g.* "The Report and Evidence of the Commons' Vaccination Committee, 1871," "The Registrar-General's Report, 1871," and other English, Irish, and Scotch Registration Returns, etc. I can bring these with me if you have them not. I will only add that should such conference result in convincing me that I am mistaken, I shall not fail to do all I can to persuade others, who now agree with me, to a more correct conclusion; whilst, should you find that what has been done by your instrumentality ought to be undone by the same hand, I may, by communicating with the noblemen above indicated, and others, hope to render you material aid in that direction.

I have, etc.

T. BAKER.

The Right Hon. Lord Lyttelton, Hagley Park, Worcestershire.

P.S.—Should a deputation be preferred, I could bring several clergymen, medical men, and others with me, but such a course may probably not so well conduce to quiet investigation.

Hagley, Stourbridge, 18th August, 1874.

SIR,

I regret that I cannot comply with your request, which I should consider an entire waste of time. I could not arrive at any conclusion satisfactory to myself; and I certainly should think ill of any responsible authority which should defer to my opinion on the matter. The question is a purely scientific one. When I brought in the Bill of 1853, it was on the assumption—which I believe was then correct—that the scientific world was agreed upon it, and that

the question was only one of administration. I quite admit that apparently some difference of opinion has since shown itself, but I do not pretend to judge of it. It is a question wholly for the Government.

Yours, etc.

LYTTELTON.

Kingscote, Wokingham, 22nd August, 1874.

MY LORD,

Your note of the 18th tends to convince me how thoroughly you were deceived in 1853. I dare say you do not know that it was stated by Dr. Seaton before the committee, 1871 (see page 295, Blue Book), that your action was then spontaneous—taken even without the knowledge of the Epidemiological Society. The evidence taken on that inquiry from other witnesses, proves that the scientific world was not agreed upon the matter. It is, moreover, affirmed by men of science, that vaccination is not a scientific question; it depends entirely on statistics, all of which (official), when examined, disprove its pretended efficacy; and as to which, any man can judge who is capable of adding two and two. The proved injuries—the most serious part of the question—are facts, though suppressed by interested officials, and therefore not inquired into by legislators. Government is, and must be, acted upon in accordance with public opinion, or what it believes to be such. Government has been greatly embarrassed by this legislation initiated by your lordship, and would gladly get rid of it. You were put forward as a leader and exponent of public opinion; and now we are told that you acted voluntarily. The upper classes, who do not suffer, do not look into it; they naturally rely on you. In like manner were you now to say, *This legislation was a*

*mistake, let us rectify it*, that same kind of public opinion would at once follow you again ; or at least would no longer refuse to inquire. Without such action on your part, public opinion will, infallibly, become informed at length ; but tens of thousands of lives will, in the meantime, have been sacrificed—to say nothing of the constitutional liberties of Englishmen. A full explanation on all points, at a personal interview, would occupy very little time, and save you much. I will only now add that, had I been made unwittingly instrumental in inflicting public wrong, I should regard one who opened my eyes as a friend ; and consider it a sacred duty to my ancestry, no less than to myself, that a name otherwise honoured should be saved from being handed down with execration to posterity.

I have, etc.,

T. BAKER.

The Right Honourable Lord Lyttelton.

Hagley, Stourbridge, 24th August, 1874.

SIR,

I did not mean to say that my action in 1853 was not spontaneous. As well as I remember, there was nothing said at that time in either House of Parliament against the principle of vaccination. But I did not pretend to be an exponent or leader of public opinion. My Bill was merely a suggestion to the Government of a measure of administration or police, and it was virtually a Government measure, as I should never have thought of pushing it without Lord Palmerston's consent.\* Since then the question has been certainly a departmental or Government one, and it was under Government that a parlia-

\* See *post*, 8th July, 1875, and note thereon. (Page 396.)

mentary inquiry took place some time ago. I was not aware that that inquiry was unfair or unsatisfactory. I am not aware of the embarrassment of Government; and so far from the upper classes relying on me, I do not believe that one in five hundred of them know that I was the nominal author of the Bill of 1853. In my opinion the question is wholly a scientific one. What you mean by saying that the upper classes do not suffer—if suffering there is—I do not know. Your threat, that my name will be execrable to all posterity, does not surprise me, knowing as I do the peculiar ferocity that seems to distinguish those philanthropists who oppose vaccination; and having been threatened in the same way for the last few years as an endowed schools commissioner, I am become more callous to it than I otherwise might have been.

Yours, etc.,  
LYTTELTON.

T. Baker, Esq.

Kingscote, Wokingham, 25th August, 1874.

MY LORD,

I am quite aware that the vaccination question excited no interest in Parliament in 1853, nor has it yet, as far as I know, induced any legislator to read on the subject, although official influence has caused the legislation to be carried much beyond your suggestions, in aid of the executive under Lord Palmerston. I know the embarrassments, from having been in frequent communication with the Government departmental administrators. I attended every sitting but one of the committee, 1871; heard all the evidence, *saw* it given, and have since published a digest of it,\* the fairness of which has never been

\* “ Value of Vaccination : being a *Précis*, or Digest of Evidence,

impugned. Knowing that such volumes are not usually read, I wished to induce your lordship—who, as it seems to me, should take peculiar interest therein—to study that evidence in the original. The committee was composed almost entirely of laymen, as are both Houses of Parliament. One is as well able to judge as another of a scientific question brought before him to legislate upon. As a diligent student of physiology for many years, joint editor of Dr. Southwood Smith's "Philosophy of Health" (posthumous edition), and at present engaged on a work thereon, I am no more able to class the vaccination superstition among the sciences, than witchcraft. It is a popular error to regard all medical practitioners as philosophical investigators, and on this subject they, in common with the rest of the deluded community, have nothing but fallacious figures to lean upon. There are so many points to illustrate, that I sought a personal interview to explain them, and thereby to save you much labour; but should you prefer entering fully into this inquiry by letter, I will cheerfully undertake to write to any necessary length. Thus, in explanation, it would have been more strictly correct to say the rich do not suffer from the *unconstitutional tyranny of compulsion*, like the poor or the mass of the population. That they do not always escape the evils when the process is undergone, I could give several incidents to prove.\* But the medical attendant of a wealthy

taken *vivâ voce* (1871), before a Committee of the House of Commons on Vaccination."—"The author of this pamphlet is well known as a *précis* writer, and he deserves the hearty thanks of the profession and the public for the way in which he shortens their labours. For sixpence any one may put himself in possession of the facts and opinions elicited from the witnesses, stripped of all verbiage and circumlocution."—*Lancet*.

\* See Note A., page 397.



opponent can always, by a hint, keep his brother practitioner quiet; hence I have known several M.P.'s who, it is said, *violate the law*, but I never knew one such prosecuted. Again, if such an one were so, he would not, from the loss of many hundreds, suffer what the poor man does from a few shillings. How disgusting to me is the selfish apathy which allows such unequal oppression, even on that narrowed ground alone! The words "threat" and "ferocity" I need not take as meant for myself, otherwise I might demur as to the fairness of these expressions. I have never suffered from vaccination or from the tyrannical law, except that the cruelties I have witnessed and known have given me many a sleepless night; but had your lordship by any possibility been persecuted to one hundredth part the extent, in effect, of persons I have known, your even temper might ere this have become somewhat tainted with "ferocity." Practically, then, millions are suffering, have suffered, and will suffer wrong (as will eventually be made plain even to "scientific" men) from compulsory vaccination. Your name is recorded in the Blue Book as having spontaneously initiated that wrong. Can you believe that posterity will fail to associate the name with what has been aptly termed "the curse of the age"? And is it not worth while, for your own sake, to occupy a short time with a serious inquiry, at least to satisfy your own conscience?

I have, etc.,  
T. BAKER.

The Right Hon. Lord Lyttelton.

Hagley, Stourbridge, 27th August, 1874.

SIR,

If, as you state, rich people, with the connivance of their medical men, are in the habit of

violating the law, it is an unwarrantable proceeding, for which the authors of the law can in no way be held responsible. No doubt parliamentary committees cannot be composed of scientific men, any more than a court of justice is. But I apprehend that both of them are guided in such matters by experts. With regard to your intent of writing to me at some length, I shall, of course, read any letters you may favour me with, and say anything that may occur to me, but it will probably be very little, not from disregard to your opinion, but to my own. When the letters are concluded, I should send them all to the Duke of Richmond and request his attention to them.

Yours, etc.,

LYTTELTON.

T. Baker, Esq.

Kingscote, Wokingham, 6th September, 1874.

MY LORD,

As preliminary to an examination of the merits or demerits of the practice of vaccination, it is desirable to consider some fallacies commonly entertained:

1. The reader of history is aware that in former ages Europe has been from time to time visited by severe scourges; nevertheless the population has always gone on increasing. Those only who were prepared by their previous condition of body, or bad local surroundings, have fallen a prey to the specific poison. The large majority have escaped every epidemic.

2. This being so, it is obvious that any fancied nostrum, or superstitious charm, if universally applied, might with a specious show of truth be claimed as a proved protection or preventive against any particular scourge; and if, in the necessarily exceptional cases

of failure, we allow the shifts, "it was not done well enough," or "often enough," or "it was not properly worn" or applied," etc.; and, further, when neither of these suffice, as a supplementary resource we receive the assurance from an expert, or astrologer, that some peculiarity of constitution may account for the failure, it is evident that, with the unthinking, the proved virtue of the nostrum or charm will amount to demonstration.

3. Readers of history know that the most mortal of the plagues—*e.g.* sweating sickness, black death, oriental plague, and lesser scourges—have been exterminated without any such nostrum or charm. By the natural operation of civilization and cleanliness alone they are gone. We shall see, as we advance, that the localization of small-pox also, which is simply an exanthematous fever, by which diseased conditions are eliminated from the body, affords no exception from the rule that "filth and fever are intimate associates."

4. In the year 1722 the superstition was introduced from Turkey, by a lady, that giving disease (which might be a mild operation, the subject being strong) would prevent the future taking of similar disease, which might in that case be severe, the patient being weak. Hence inoculation for small-pox extensively prevailed amongst people desirous of avoiding the possibility of disfiguration; and, as a consequence, disfiguration became common, visible in all our streets.

5. This extensive marking proved:—1. That small-pox could not be a highly mortal affliction, since all those people had at least survived its horrors. 2. That medical men did not *then* understand how to treat the disease. 3. That small-pox itself would not prevent a subsequent attack, circumstances favouring, for numberless cases are on record of second and even third attacks in the same person. To have a patient

marked in our day is a disgrace to the medical attendant, or an evidence of extraordinary virulence.

6. As regards small-pox we find:—1. The immunity of the majority from any epidemic; 2. The results of sanitary improvement; 3. The necessary effect of discontinuing inoculation; 4. The advantages arising from scientific medical treatment—shown chiefly by the absence of disfiguration—one and all most inconsequently ascribed to the introduction of vaccination.

7. The word “introduction” is used advisedly, for the next in order of the fallacies is the ignoring of the fact that, concurrently with the advance of civilization above indicated, since the so-called “discovery” of vaccination in 1796, the practice was by no means common as applied to the whole population, and especially the masses most liable to small-pox. Fifty-seven years passed of comparative immunity from small-pox (and that whether we regard the inoculation and previous filth periods, or the present small-pox epidemics now more and more experienced), but the population in general did not vaccinate until the practice was made compulsory by Act of Parliament in 1853.

8. By the specious offer to “stamp out” small-pox altogether, a few experts then prevailed upon the legislature largely to endow with the public money the practice of vaccination throughout the kingdom, under the guidance of these experts themselves, as a central department. Fees are distributed by statute from the local rates among the medical profession—never so handsomely endowed before—and substantial bonuses are awarded in addition, as a stimulus to zeal, by these central patrons, who have secured £15,000 a year for their own superintendence.

9. At the beginning of the present century Jenner was paid £30,000 for his adoption of the Dorsetshire farmer Jesty's "discovery;"\* and now, forced from the pockets of the people, the profession at large probably receive not less than £250,000 per annum for their share of this patriotic legacy.

10. No parliamentary or Government inquiry preceded the Act of 1853. There had, indeed, been one or two committees to decide upon the rewards to be given for what was deemed an infallible preventive of small-pox, and for the establishment of a Vaccine Board; but not until the arbitrary, unconstitutional, and illegal proceedings, carried on by straining the Act of 1867, had caused considerable agitation in the country was a single witness ever heard by the House of Commons against the practice of vaccination. At length, in 1871, a committee was appointed; the vice-president of the Council having first declared, in the House, that such would not have been proposed if it were thought possible that any doubt could thereby be cast on the great value of vaccination as a prophylactic against small-pox. An application from certain opponents of vaccination to be heard by counsel was refused; the *quasi* defence was taken first, but after ten witnesses, out of hundreds desirous of coming forward, had been heard, no more were allowed to give evidence; whilst numerous cases of injury or death, attested before magistrates for the purposes of the inquiry, were rejected, on the technical ground that the clergyman

\* Inscription on Jesty's tombstone, Worth Matravers, Wareham: "Sacred to the memory of Benjamin Jesty, of Downsay, who departed this life April 16, 1816, aged 79 years. He was born at Yetminster, in this county, and was an upright, honest man, particularly noted for having been the first person known that introduced the cow-pox by inoculation, and who, from his great strength of mind, made the experiment from the cow on his wife and two sons in the year 1774."

who produced them had no personal knowledge of the parties [p. 146].\*

11. In like manner no defendant is ever permitted by justices to state his reasons, or plead as a "reasonable excuse" (allowed by the statute) the injury or death of a former child. Indeed, an anti-vaccinist is to be regarded as a "monomaniac," or an "idiot," and to be put down accordingly, by those who have never been at the pains to consider the subject. We are, therefore, so far mainly dependent on the testimony of official returns, and the admissions, fallacies, and contradictions of the medical experts before referred to, who were not only allowed to give evidence in their own case, but themselves drew up the report of the committee.

12. The Court physicians examined pointed to Mr. Marson, thirty-five years surgeon of the small-pox hospital, as the chief authority. Mr. Marson considers a number of vaccination marks important [p. 236]; and in calculating results from his tables of recoveries and deaths, takes no account whatever of the stamina, general health, or condition in life of the patients; nothing whatever except vaccination and the quality thereof, or non-vaccination; assuming, among many other assumptions, that whether a patient had been properly vaccinated or not is the sole inquiry necessary, as well as to their chances of recovery from small-pox, as to their having "caught," as it is termed, the disease [248]; "But," he says "we cannot tell why one has small-pox severely, and another mildly even amongst the unvaccinated."

13. Mr. Marson affirms:—1. That it is difficult to get vaccination well done [239, 245, 267]. 2. That

\* The references given are to the pages of the evidence in the Vaccination Committee Report, 1871.

the time and state of the child is important to avoid injury (which obviously cannot be attended to under an arbitrary, compulsory law) [240]. 3. That in 1845, 44 per cent. of the patients in his hospital had been vaccinated, but in 1864, 84 per cent. had been vaccinated [242]. 4. That the most malignant type of small-pox had been unusually prevalent the last six months (*i.e.* 1871), eighteen years after compulsory vaccination [242]. 5. That in confluent cases no one can tell whether patients had been vaccinated or not [248]. 6. That in making certain calculations as to comparative mortality, he had *assumed* some who had recovered, "were protected to some extent, though there was no cicatrix to show, or else they would have died at the same rate as the unvaccinated did" [248]. 7. That out of 104 cases of corymbose small-pox (one of its worst forms) in thirty years, seventy-four had been vaccinated, of whom thirty-two died [265]. 8. That there was no epidemic of small-pox in London, from 1796 to 1825 [266]; and that during the sixteen years, 1852-1867, there were three times as many cases in his hospital as there had been from 1836 to 1851 [238]. 9. That the nurses (so often alleged to have escaped by reason of vaccination) had frequently entered as patients and afterwards stayed as nurses [243].

14. Mr. Simon did not claim to have had any vaccination practice [193, 198]. 1. He could conceive nothing better than our public stational vaccination [181]. 2. Says the experience of experts is, that the earlier years of life do not give many cases of post-vaccinal small-pox [185]. 3. Quotes Mr. Hutchinson as a high authority that syphilis can hardly be communicated by vaccination [187, 195, 202]. 4. Quotes ravages of small-pox in Holland, and assumes neglect

of vaccination [164], but admits the statement is on hearsay authority [190, 199]. 5. Quotes alleged neglect of vaccination on board H.M.S. *Octavia* [174]; but is unable to account for the breach of naval regulations [190, 191], although, on being prompted, he asserted the men had joined abroad (forgetting that the medical authority quoted would have committed a breach of his duty in neglecting to vaccinate any such). 6. Admits his inquiries in 1856 were addressed to hospital surgeons, etc. (who do not vaccinate) [192]. 7. States the law has fully doubled infantine vaccination [190]. 8. Treats the opinion of a physician of such experience as Dr. Epps, long Director of the Royal Jennerian Institution, as "moonshine" [194]; with the same contempt, in fact, as all other "idiot" and "dishonest" opponents [199].

15. Mr. Hutchinson (called by accident) proved that out of thirteen adults vaccinated from one apparently healthy child, by a certified vaccinator, at a vaccination station, eleven were syphilized, and that he saw them on the 5th of April, at the suggestion of Dr. Seaton [283]. He (one of the celebrated 542) had not himself vaccinated a child since he was an apprentice [284].

16. Dr. Seaton states :—1. That perfect immunity from small-pox was experienced at Mold, as a consequence of careful vaccination [298]. 2. That both Scotland and Ireland were being freed from small-pox, as the result of the Compulsory Acts of 1863 for those countries. 3. That Mr. Hutchinson's cases (seen by him the 5th of April) occurred after Mr. Simon gave evidence (31st March and 21st April, and not brought forward till Mr. Hutchinson was called, 9th May) [311]. 4. That Prussia he knew to be well protected; but Ireland and Scotland were getting still better



[317]. 5. Cannot deny Mr. Startin's statement that he had not been asked (by Mr. Simon when the 542, who do not vaccinate, were questioned) as to his cases of syphilitic transmission [320].

17. Sir D. Corrigan is sure the then absence of small-pox in Ireland resulted from the operation of the Compulsory Act in that country [231].

18. Dr. Wood testifies to the same effect concerning Scotland [253]; and should be very much surprised if there was any great mortality among children under ten, if small-pox afterwards broke out there [257].

19. All notice of the evidence given by those anti-vaccinists, who were first heard, is herein left for examination by persons who deem it fair to look at both sides. Before proceeding to comment on the above with the light afforded by more recent facts, however, it is fair to point out that we have it on the authority of Dr. Farr, that no reliable vital statistics of any sort are in existence prior to 1838, by which the experts' array of figures to be found in the Report can be tested.

20. Before a law is enacted to compel a surgical operation, at least there should be certainty as to its proper performance; and that no injury could possibly ensue [compare with par. 13, ss. 1 and 2; pars. 15 and 16, s. 5].\*

21. The mere negative evidence that ten million vaccinated persons have not had small-pox [par. 16, ss. 1, 2, and 4; pars. 17 and 18] is no proof that they would have had it without vaccination, because hundreds of millions who have not been vaccinated have also escaped [pars. 1 and 2]. On the other hand,

\* These and subsequent references are to paragraphs and sentences of this letter.

every single case of small-pox, after vaccination, is *positive* proof that vaccination has not in that case prevented small-pox [par. 13, ss. 3, 4, 7, and 8]. Indeed, the proportion of persons who, having broken an arm, have not subsequently fractured a leg, will be very many times greater than the percentage of those who, after cow-pox, have not died of small-pox.

22. If further proofs of the fallaciousness of this mere *negative* evidence were wanted, we find, from the Registrar-General's Returns, that Mold [par. 16, s. 1] during the 1871 epidemic lost  $3\frac{1}{2}$  per 1000 of its population from small-pox; the London rate being only  $2\frac{1}{2}$ . From official returns since received from Prussia [par. 16, s. 4], the small-pox death-rate, 1871, was as  $2\frac{1}{2}$ , to 1 in England; and in Berlin it was as 8, to  $2\frac{1}{2}$  in London. In Scotland, 1871-72, the small-pox death-rate was as  $1\frac{1}{2}$ , to 1 in England; also  $5\frac{1}{2}$  in Dundee, to  $2\frac{1}{2}$  in London [pars. 16, ss. 2, 4; pars. 17 and 18]; and, in Ireland, Dublin  $7\frac{1}{2}$ , and Cork 23 (second quarter, 1872), to  $2\frac{1}{2}$  in London.

23. The epidemic, 1871-72, had not reached Ireland and Scotland when the committee sat; but these statistics have not been publicly brought forward by the medical department, and the London press never publishes communications from anti-vaccinists; whilst Blue Books, and least of all volumes of statistical figures, are read by very few, hence the legislature and the public are kept in ignorance of the truth.

24. Recently, small-pox having been epidemic in Birmingham (where £625 beyond fees, by way of bonus for first-class vaccination, had been awarded by Dr. Seaton to the public vaccinator, during the preceding three years), ninety per cent. of the cases are admitted to have been vaccinated; and of these eleven per cent. died, a rate of deaths to cases higher

than usually obtained in the last century prior to the Jesty superstition [p. 99, Blue Book]. Burnley, Gloucester, Bury, Newmarket, and other places have also suffered from recent epidemic small-pox. And the No. 2 subdistrict of Londonderry, during the first quarter of this year, lost 16 per 1000 (annual rate) of its population from small-pox alone ; and in the second quarter 8 per 1000.

25. It is surely unnecessary to pursue further the positive proof that vaccination does not *prevent* small-pox ; nor in the face of the rate of deaths to vaccinated cases, now everywhere prevailing, can the shift that it *mitigates* the disease be maintained. But may it not be affirmed, on the contrary, that this spurious inoculation (for modern vaccination is nothing else) is really reproducing and multiplying small-pox like its predecessor, inoculation proper, in times past [pars. 7 and 13, s. 8 ; 14, s. 7 ; 22 and 24] ?

26. In corroboration of this, as well as in further proof of the absence of "protection" from vaccination, and all the other fallacies of the experts—the tables of ages at death, furnished by the Registrar-General's Report for 1871, show that out of the total small-pox deaths 37 per cent., in London, were children under five, and in England 33 per cent. In Dundee (the Scotch Registrar-General, claiming that all the births are accounted for as vaccinated, and the Act having then been in operation eight years) 37½ per cent. were under five [par. 14 ss. 2 and 7 ; par. 18]. Again, compulsory vaccination had been then eighteen years in operation in this country, and of the total small-pox deaths, 1871, 62 per cent. in England were under twenty years of age, and in London 64 per cent.

27. In calculating results from an operation doing violence to nature, like vaccination, how careful should

the expert be that he does everything fairly, so as to exclude the possibility of mistake, which might give rise to false conclusions ; yet how is this care shown ? [par. 13, s. 6 ; par. 14, ss. 4, 5 (compared with par. 13, s. 5), and 6].

28. In like manner the medical department persistently put forward mere hospital official statistics, calculated on small numbers, percentages on which are worthless, and subject to all the fallacies and shifts herein pointed out [par. 2] ; patients being taken from the class most liable to disease of any kind (and on whom suspicion can always be freely cast to make out the case required), whilst they utterly ignore, as if they would suppress, the reliable national statistics dealing with millions, and yielding proper data for percentages on a sufficient scale to found conclusions.

29. One main fallacy is that which blinds these experts to the part played by poisonous local surroundings in the development of small-pox, as in other epidemics [par. 3]. No cause is allowed by them but contagion, and non-vaccination (though the statute exempts those who are not able to bear the operation), however constitutionally weak the patient may have been from birth.\* All were ever born equal for the purposes of superstitious contagionists. Yet

\* Thus the Birmingham Medical Officer gravely reports the larger percentage of deaths among the few unvaccinated patients, without pointing out that these are swelled by weakly infants, and others, dying before the vaccination age.

A recent report from Merthyr also most ingeniously re-manipulates every exploded fallacy ; in spite of which the practical proof is the same as in all other places and circumstances. Therein percentages of deaths in proportion to vaccination marks are given ; but, as usual, without stating the factors. With equal truth may it be said, that a surgeon, having treated one drunken man with a fractured limb, who died, lost 100 per cent. of his cases ;—whilst his rival, treating a sober one, who recovered, saved 100 per cent. of his !

any one who will be at the pains to examine the returns of the Registrar-General may see that only in the low-lying, dirty, and densely populated districts did the small-pox epidemic seriously prevail in London. It need not be pointed out that Berlin is one of the dirtiest cities in Europe. Dundee can ill compare with London ; and as to Dublin, and Cork, and Londonderry, the Irish official reports testify what are still the habits of the Irish people ; nevertheless, following the lead of the medical experts of the day, according to the reporters, no fever is ever indigenous in Ireland ; the "contagion" is always imported from elsewhere.

30. A crucial example of this contagion fallacy is furnished by the Metropolitan Association for Improving the Dwellings of the Industrious Classes. Most of their buildings are situate in the localities in which small-pox chiefly prevailed in 1871 ; yet although the population contained in them, in proportion to the ground area they occupy, is four times more dense than that of their surrounding neighbourhoods, there were but two or three cases of small-pox amongst them—just enough to prove that the disease may be present, without spreading, in localities furnished with proper sanitary appliances.

31. Before passing to the direct evils of vaccination, it may be proper to allude to a question, and the answer thereto, recently put in the House of Commons, concerning Banbury, with a view to insinuate that neglect of vaccination had produced an outbreak of small-pox in that town. On inquiry it is found that, among a population of 12,000, there had been fourteen cases and two deaths, *all* vaccinated ; and one of these, a man who died, had been RE-vaccinated.

32. Vaccination is a process which, by diminishing the constitutional stamina, especially in the weak organism of an infant, renders it less able to withstand the ravages of any disease. But the direct evils which have been communicated by the operation are manifold, and utterly beyond calculation. Mr. Hutchinson has brought before the Medical Chirurgical Society three sets of cases similar to those proved by him before the committee [par. 15]. This positive evidence of injury is surely sufficient to explain the reason for the terrible fact given us by the Registrar-General, that syphilis (the large majority being infants under one year) had doubled during the fourteen years preceding 1870; \* for by the Act the vaccinated child is obliged to be taken on the eighth day after, to have lymph extracted from its arm for others. Now the evil did not show itself in the cases mentioned for two months, and the operator was not to blame! What further is needed to support the inference?

33. The Contagious Diseases Act claims to have greatly diminished syphilis (and it is indefensible on any other ground), yet during the thirty months, to 27th June last, no fewer than 910 infants under five (chiefly under one) died in London alone from syphilis. Mr. Pickering, F.S.S. (whom the committee refused to hear, though a memorial from three aldermen and eight town councillors, of Leeds, requested that he might be examined), has eliminated from the Registrar-General's Returns, that concurrently with compulsory vaccination the deaths from six diseases, chiefly prevalent among infants, have increased on an average 60,000 a year (after allowing 24,000 for increased population), *i.e.* three times *every year* the number of

\* And see Returns Nos. 76, Sess. 1, and 392, Sess. 2, 1880.

small-pox deaths in the one worst epidemic year of the century.

34. We know the general death-rate has by no means diminished as it ought—Mr. Henley, whimsically (or rather, it may be presumed, ironically), ascribing the cause to be a diminution in the number of doctors! We know also that, in spite of increased population and diminished armies, the standard is obliged to be lowered to obtain sufficient recruits able to pass the doctor. We know that the mortality among infant children in St. Pancras Workhouse last (a healthy) year reached 215 per 1000; yet how many millions sterling have been spent on sanitary works, apparently quite thrown away? But in reality the good has been more than swamped by the medical curse!

35. It is very difficult to refer to authentic cases of direct injury from vaccination, for all naturally shrink from publishing their misfortunes, especially any bodily taint; but the subject is never mentioned to a stranger without some fresh case being revealed. A clergyman in Suffolk says he knows three ladies syphilized, but dares not give their names. Many cases of death in infants were given before the committee. At Gainsborough, two children were vaccinated from the same arm: one died, black, in a fortnight; for the other £28 had been paid to the doctor, but it was never expected to get well. At Stafford, a previously healthy infant having died, rotten, the cause was certified by the legal murderer as hydrocephalus. In a rural neighbourhood (houses a mile apart) one child nearly five has never recovered the operation, and is now an object of pity to its relatives; all—parents, grandparents, and other children—totally free from any such taint. In another family, a child

has been for five years covered more or less with an eruption since vaccination, the rest being quite free. A third case, a lady of seventy, vaccinated by Jenner himself, is deeply marked by small-pox, and, besides, has never got rid of a skin disease which periodically shows itself, and which she has always ascribed to the vaccination. At Chatham, a father who lost two children, each immediately after vaccination, has only saved his third in health by suffering imprisonment five or six times, and even hard labour, illegally imposed by straining the Vaccination Acts. At Warrington, a father who had lost a child (at the same time two neighbours' children vaccinated from the same arm also died) was not allowed to claim his experience as a "reasonable excuse;" and we might go on multiplying cases *ad infinitum*.

36. Mr. Simon is free in his imputation of idiocy, falsehood, and dishonesty against such sufferers [par. 14, s. 8], yet what but conscientious duty can prompt these to incur opprobrium, fines, in some cases ruin and imprisonment (for they cannot *purchase* justice), to save their children from more cruel suffering? On the other hand, what motive could induce Mr. Simon, etc., not to inquire concerning Mr. Startin's cases [par. 16, s. 5], to keep back Mr. Hutchinson's cases [par. 14, s. 3; pars. 15 and 16, s. 3]; to lean on hearsay evidence [par. 14, ss. 4, 5]; to rely on hospital authorities who do not vaccinate, instead of general practitioners [par. 14, s. 6] (for how can a man see what he has no opportunity of seeing?); to withhold truth from the public [par. 13, s. 9; par. 16, s. 3; pars. 19, 23]; to ignore the opinions of such men as John Hunter, Birch, Dr. Moseley, and others of that day; Drs. Epps, Collins, Garth Wilkinson, Mackenzie, Skelton, Bell, Johnson, Pratt, Brickwell, Acworth, Galgey, Haughton, Hitch-



man, Ellis, Nicholls, Turnbull, and numerous others at home ; Ricord, Hammernik, Keller, Nittinger, Cordere, Hermann, Stramm, Bayard, Capadose, Verde de Lisle, Carl Both, Durocher, Schufendecker, De Grob, and many more abroad—all opponents of vaccination, taught by injury witnessed in their medical practice ? what still to suppress subsequent Statistics [pars. 22, 23, 24, 26, 27, 28, 29] ; and if not themselves to insinuate falsehood, to allow the suggestion of falsehood to pass uncorrected [par. 31] ? Are we to look to pars. 8 and 9 for the answer ?

37. I bring this paper to a close by calling attention to the gross violation of every principle of English constitutional law and justice, introduced at the dictation of a few medical experts behind the scenes (for each single legislator repudiates the responsibility), whilst every lawyer knows that, in any medical case whatever, he can procure experts to swear to diametrically opposite opinions. Moreover, general practitioners yield no greater proportion of philosophic independent thinkers than any other class. These must go with the fashion or starve ; and they have only official figures to guide them, beyond their individual experience—often very small. They have been taught at home, at school, at the hospital, and by the departmental experts, that vaccination is necessary ; they have too much work on their hands to study philosophy or statistics ; and many of them have acquired very little physiology (which is the preservation of health, while the cure of disease is the business of medicine). To oppose vaccination would, for the majority of them be ruin. In defending it, when attacked, they can only avail themselves of the figures furnished to them by the expert leaders, on whom by so much the more rests the duty and responsibility of

stating all facts fairly, and not to suppress or misrepresent such for any purpose whatever. For *their* extenuation, however, it may be said that no man likes to confess that he has been in the wrong; moreover, resistance excites passion, and passion obscures the reason; so that it may be a mistake to impute wilful unfairness, even to *them*. Let us hope that it is so. Nevertheless, where it is a solemn duty to inquire and see, too long a persistence in blind prejudice will assuredly be ascribed by the public to interested dishonesty. The ignorant populace have always been eager to catch at any fancied "royal road" to escape the chances of "*contagium*." Lady Wortley Montagu's folly having been found so disastrous, Jesty and Jenner's was readily embraced; and when our legislators—not much better informed on physiological matters than their constituents—were persuaded to give £30,000 as a reward, the nostrum *perforce* became more fashionable, even with the profession itself, than bleeding and mercury had been. The whole subsequent support of vaccination rests on spurious statistics (which some say may be made to prove anything), and the results of sanitary civilization fallaciously manipulated. The crowning stupidity was when experts deemed it possible to "stamp out" from the brains of the British people all freedom of thought, observation, and parental duty, by the compulsory law.\* Under this law (so called), administered universally by prejudice, and set in motion by a low class of fee-seekers,† parents who scorn to tell a false-

\* The Bill of 1853 (introduced by Lord Lyttelton) provided for one penalty only; but the subsequent officially obtained Acts (without discussion in Parliament) aim at the ruin and imprisonment of all thinking and conscientious opponents.

† "Vaccination officers" are here meant, not medical "public vaccinators."

hood are beguiled into convicting themselves, without the smallest regard to the rules of judicial procedure, of evidence, or legal interpretation. Indeed, everything is strained to make "criminals" of the most intelligent of the lower and middle classes, who think for themselves (for the rich do not suffer, and the poorest either do not care, or cannot resist); and this goes on in England, under the miserable influence of superstition, and slavish fear of "*contagium*," excited by the same experts! "*In summo periculo timor misericordiam non recipit!*" It is but for the nonce, however; a day will come and speedily! *Magna est veritas et prævalebit.*

I have, etc.,  
T. BAKER.

The Right Hon. Lord Lyttelton.

Hagley, Stourbridge, 10th September, 1874.

SIR,

I have, as I said I meant to do, sent your papers to the Duke of Richmond, and requested his attention to them. I shall take no public part in the matter at present. If I said that I was not responsible I said nonsense. We are all responsible for all we do. I am responsible for bringing in the Act. Like most persons in such a country as this, I am responsible for doing nothing to get the Act repealed. I am specially responsible as a member of Parliament, and still more so as the author of the Act. What I meant was, that, considering the nature of our Government arrangements, the Government of 1853 was quite as responsible as I was, and I conceive that for many years past, and now, when the question has long been part of the ordinary administration of a public department, the Government are much more responsible

than I am. On the other points your explanation, such as it is, removes the charge of wilful misdoing from certain of the medical profession (not, however, from the ablest and most eminent of them, whose business it is to guide the rest). It removes the charge, and substitutes for it that of great stupidity and unfitness for their duties. If the smallest country practitioner were to cut off legs when he might have saved them, it would be no excuse for him to say that he had not time or faculties for the independent study of surgery.

Yours, etc.,  
LYTTELTON.

T. Baker, Esq.

P.S.—I have nothing to remark on the paper, except to repeat my surprise at your adherence to the statement that the rich do not suffer, which to me is unintelligible, and inconsistent with your own view.

Kingscote, Wokingham, 11th September, 1874.

MY LORD,

I fully subscribe to the first three pages of yours of yesterday, and plead guilty to imputing a vast deal of stupidity—and perhaps, on the part of the officials, something more—on the vaccination question. . . . To prevent being misunderstood, let me trouble your lordship yet once again to say that, although the rich suffer from vaccination, they do not suffer from the compulsory law. I enclose a specimen of what that is to the *poor*. A rich man, even if prosecuted, would hand out the fines with the satisfaction of knowing that he, at least, could thus purchase freedom of opinion and conscience. One word on the “something more” of officials. I append

extract of a letter I sent to Mr. Sclater-Booth three months since. (Of course he has no control in Ireland.) You may have observed the Registrar-General's (Ireland) Report for the last quarter, quoted recently in the *Times* (I also send extract). There, you will perceive, the inoculation of six cases at an out-of-the-way place in Connaught (italicized as before in the Report itself) is again made to do duty, by inference, with those who know nothing of Irish geography, as explanatory of small-pox in Londonderry and Belfast, to be found only in the tables which nobody reads or quotes, not a syllable being said about vaccination or inoculation in the local reports from those places. The number of small-pox deaths in these respective districts are, Donegal, 4; Dunkinerly, 6; Mount-charles, 2; Belfast, 38; Londonderry, 36. Pray do humble seekers after truth the justice to observe that they, with slender means at disposal, have to hunt up and expose these and other such fallacious statements, against all the official and money power of the State, aided by a tutored press.

I have, etc.,

T. BAKER.

The Right Hon. Lord Lyttelton.

Kingscote, Wokingham, 29th October, 1874.

MY LORD,

In the *Mail* of yesterday (reprint of *Times*) I see that Mr. Bright has told his Birmingham constituents that the Compulsory Vaccination Act ought to be repealed. It is, therefore, evident that, unless your lordship at once thinks proper to address a letter to the *Times*, to the effect that, finding that the ground on which you introduced the Act of 1853, viz. that the medical profession were unanimous on

the question, was not the fact; and that—inasmuch as increasing difference of opinion, as well as many proved failures of vaccination, and injuries arising from the practice, renders the enforcement of it upon unwilling parents unwarrantable—it is your intention to introduce a Bill to repeal the existing law,—unless, I say, some such course be announced without a moment's delay, the *odium* of the measure will for ever remain attached to your name, and the credit of its inevitable removal from the Statute Book will be accorded to others. May I presume that I am at liberty to publish the papers which I addressed to you, entitled "The Vaccination Laws, Letters addressed, etc., by, etc."?

I have, etc.,

T. BAKER.

The Right Hon. Lord Lyttelton.

Hagley, Stourbridge, 31st October, 1874.

SIR,

I have no objection to the publication of these papers.\* I am surprised you should again threaten me with "*odium*," which I should not care about if it came from all the fanatics of England.

Yours, etc.

LYTTELTON.

T. Baker, Esq.

Kingscote, Wokingham, 2nd November, 1874.

MY LORD,

I am obliged by yours of the 31st ult., but unable to refrain from expressing my astonishment that anything I have written to your lordship should be so misconstrued as to be deemed offensive, or that the endeavour to save your reputation from the natural consequences of action, into which you

\* This correspondence was first published August, 1875.

*appeared* to have been misled, should again be denominated a threat. With your designation of me as a "fanatic" (imbued also, I may presume, with "ferocity") I am content ; but much regret having, it would seem, utterly failed to induce you seriously to study the momentous question with which you formerly connected your name. Men, forsooth, may zealously concern themselves in opposing the fantastic tricks of ecclesiastical mountebanks before the altar, but think nothing of forcibly violating, by their own direct personal legislative influence, the very temple and "image of God," and that not once, but daily and hourly ; not in small numbers, but the millions (since 1853) sacrificed to your Moloch !

I have, etc.,

T. BAKER.

The Right Hon. Lord Lyttelton.

[*A child was born to his lordship, December, 1874.*]

Kingscote, Wokingham, 31st December, 1874.

MY LORD,

My letter on the Vaccination Laws, dated 6th September, forwarded by your lordship to the Duke of Richmond, as representing the Government, has not been answered, and if any action is contemplated thereon, I am in ignorance of it. In the meantime numberless prosecutions and fines, and several imprisonments have taken place, and a largely increased crop is anticipated with the commencement of the new year. I confess that I never anticipated relief from official sources. But now a crucial test is offered to the faith and sincerity of your lordship, in the double capacity of a parent and legislator. Will the officers of the Local Government Board advise you to send your infant, in humble guise, to the

Public Vaccination Station—say at Bethnal Green?—and will you, after re-perusal of Mr. Hutchinson's evidence (p. 283 of the Blue Book), venture to undertake such risk? With a far stronger natural constitution, doubtless, than the great majority driven thither (witness the puny state of our army), your child would probably pass the ordeal *apparently* scathless (and not a syllable of what I have written would be thereby disproved); but will you *fairly* venture? If so, I will at least maintain that you are thoroughly honest, however superstitious. If you hesitate, however, to incur such frightful responsibility, and do not then and there determine (unless you have already determined) to do your utmost to abrogate the law first initiated through your means, I ask, in the name of suffering humanity, what will be thought of your fairness and sincerity? Should thousands of equally conscientious parents pray that your babe may suffer no more cruel torture than they have seen their own endure, in consequence of mistaken infatuation, under your name, would you ascribe such to a feeling of malignity? Believe me, such opinion would not be justified, for it would rather arise from a fervent hope that such a sacrifice, if unhappily added to the rest, may at length be the means of saving millions from various degrees of like immolation in the future.

I have, etc.,

T. BAKER.

The Right Hon. Lord Lyttelton.

42, Portland Place, January 1st, 1875.

SIR,

If I understand it right, your present letter refers not to the principle of the Act, but to a point in its administration. I cannot now refer to the Act



and Reports, but my impression is that the Act does not require any one to send their children to the public station. I have never been called upon to do so, and do not expect it now. I think every one can get it done in the way he prefers, provided it can be certified to be done efficiently. I imagine that the public stations are distinctly meant as an accommodation to the poor, and I think there is some discretion allowed in weather like this, and with delicate children, etc. At all events, I apprehend Parliament thought it far the lesser of the two evils; and if in any such particular an improvement can be suggested, no doubt it would be considered. But I cannot think that any such matter ought to compel any one to abstain from the best and safest way he can command of obeying the law. I regret that this conduct, as I understand you, should make me appear to you unfair, insincere, and dishonest, as well as superstitious.

Yours, etc.,

LYTTELTON.

T. Baker, Esq.

Kingscote, Wokingham, 2nd January, 1875.

MY LORD,

I have to thank your lordship for your note of yesterday, and to submit that if it were ever so true (which I deny) that vaccination, under any circumstances, ought to be practised, it is a matter entirely for parental discretion, and altogether beyond the proper sphere of legislation. The rich can observe all the cautions you allude to; and if they even disapprove the practice, their immunity can be *managed* by the medical attendant.

With the poor it is quite otherwise; yet, as pointed out in my printed letter—par. 14, p. 6, s. 1—Mr. Simon can conceive nothing better than our public

*stational* vaccination. To which, however, I venture to assert, that no member of the Legislature dare, himself, have recourse. I have seen a poor woman at Belper fined for not having exposed her child in such weather as we are now experiencing, by carrying it several miles for examination on the eighth day after vaccination. A woman at Stratford has just been imprisoned for not obeying an order which she had obeyed—committed without evidence in her absence. The poor are in the hands of the ignorant vaccination officer, and the magisterial officials. No defence is admitted or even listened to unless through a lawyer. They cannot, if they know how, go to the expense of arming themselves with medical certificates or legal advice; and the amount of utterly illegal and arbitrary tyranny carried on under cover of this legislation would shock your lordship, as much as any other right-minded man, if you would assiduously inquire into what has been, and is, carried on, professedly by virtue of the Act bearing your name. All sorts of suggestions for amendment have been offered, and inquiry into injuries and deaths urged, to no purpose. The medical officials ignore both statistics and the sufferings of the people; and the Government will continue to be led by them until popular indignation shall have reached the culminating point, when the disgrace with which, in spite of warning, the name of Lyttelton, I fear, is destined to be indelibly associated, will be summarily ejected from the British Statute Book.

I have, etc.,

T. BAKER.

The Right Hon. Lord Lyttelton.

P.S.—In my humble opinion, no one, who believes that to wound the skin and poison the blood of an

infant will be to its advantage, can be otherwise *than* superstitious.

Kingscote, Wokingham, 4th July, 1875.

MY LORD,

I trust you will credit me that it is from no lack of materials that I am not addressing you frequently. Although it seems this subject, touching the lives and sufferings of the people, is not one which interests you beyond compelling them to follow, for good or ill, the course which you have been taught right (admittedly without examination); I would, nevertheless, urge you, as not being wilfully hardened or cruel, to read the cases mentioned in the address of Mr. Henry Lee, a surgeon of eminence, to the College of Surgeons, in the *Lancet* of the 12th ult., p. 817, par. 5. Such cases are, in truth, legion. Then, as to prevention, to note in Registrar-General's Report, 1872, that out of 19,000 deaths from small-pox—nineteen years after your Compulsory Vaccination Law—72 per cent. were persons under twenty years of age (see ages at death, page 146). Allow me to ask whether, upon these facts, you will allow me to submit to you draft of a short Bill to stop the persecution now going on?

I have, etc.,

T. BAKER.

The Right Hon. Lord Lyttelton.

42, Portland Place, 7th July, 1875.

SIR,

I regret that I cannot accede to the proposed Bill. The ground of the existing law is not that persons should be forced to have their own children healthy, but that they should not be able to infect others. This may be right or wrong, but as long as it

is the law, it seems to me unreasonable to modify it by an enactment which would entirely render optional what is now compulsory.

Yours, etc.,  
LYTTELTON.

T. Baker, Esq.

Kingscote, Wokingham, 8th July, 1875.

MY LORD,

I should, of course, be far better satisfied with a *total repeal* of the Acts which pander to ignorant popular prejudice by legalizing the murder of infants to prevent their possibly becoming *foci* of infection in after life. Since your letter of the 24th August last, I have learnt from a gentleman, consulted at the time by Lord Palmerston, that he was personally adverse to the Bill of 1853,\* and, by accident almost, suffered it to pass at the end of the session, at the instigation of a small knot of would-be philanthropists, moved by successful office-seekers.† The authorship of this un-English legislation, therefore, cannot be repudiated, or thrust upon Lord Palmerston or any other statesman. I recollect an old friend assuring me that your lordship was a diligent personal investigator in matters which interested you. I am, therefore, much puzzled to understand why you do not feel impelled to examine the official evidence now so largely available, on a subject with which your name must be

\* This was stated to the writer in conversation, about the time the above was written, by the Registrar-General. On being asked to verify the same, Major Graham writes, 15th November, 1876, as follows :—  
“When the late Lord Lyttelton introduced in Parliament a Bill making vaccination compulsory, the Secretary of State for the Home Department [Lord Palmerston] agreed with me in thinking that such a measure should be more amply considered and discussed, and expressed a wish that it should be postponed.”

† See Note B.

historically identified—for your own letters indicate that you decline to read. Jenner's delusion is fast becoming otherwise exposed, but the hand most fitting to wipe out the legislative disgrace, is surely the one which was deceived into originating it.

I have, etc.,

T. BAKER.

The Right Hon. Lord Lyttelton.

#### NOTE A.

Lord John Manners had an infant, in the spring of 1875, vaccinated; it died a fortnight after, the cause being certified "Convulsions."

So, Sir Culling Eardley died a fortnight after revaccination, in 1863.

Again: a young lady, aged 15, of one of the first families of Prince's Park, Liverpool, and in the best health, was revaccinated by Dr. Skinner. Eleven days after, this blooming girl died. Dr. Skinner affirms that the death was due entirely to vaccination, and that this was concurred in by his professional friends at a meeting of the Medical Institution, but it was thought undesirable to make it public.

These are no solitary instances of manslaughter by superstitious delusion, under medico-legal auspices. They are daily occurring in all parts of the kingdom. Thus in Leicester (1873) 431 infants under one year died after recent vaccination. In that town 51·6 per cent. of the total deaths (2nd quarter, 1876) were infants under one year; and 95 per cent. of the births are, by the department, certified as vaccinated: all these, therefore, must have been previously healthy, because the Medical Officer to the Central Board stated to the Commons' Committee, 1871, that every vaccinator who knows his business takes care that the child is healthy before he vaccinates it.

The most frightful special disaster on record is that of fifty-eight French soldiers, vaccinated 30th December, 1880, in Algeria, from a single infant vacciner. All syphilized without exception; half died soon after, the rest surviving for a worse fate.

#### NOTE B.

The public press writers of the Medical Department, led by their *quondam* head, Mr. Simon, in the *Times*, have been of late zealously reproducing the various worn-out arguments in favour of vaccination, and, when that fails, revaccination. These official experts, however, carefully ignore the facts—

1. That whilst small-pox has been only *reduced*; plague, sweating-sickness, jail fever, etc., have been *exterminated by civilization and cleanliness*.

2. That ceasing to inoculate for small-pox, naturally diminished the prevalence of the disease; and that improved medical treatment naturally much lessened the risk of pitting from small-pox.

3. That small-pox had become much more reduced during the first quarter of the present century, but has again become more prevalent, and with greater "malignant intention," since compulsory vaccination brought these press advocates into office.

4. That the hospital statistics thus produced for the twentieth time are utterly fallacious, inasmuch as the percentage of deaths to attacks among vaccinated and not vaccinated is made unfavourable to the latter by carefully refraining from distinguishing the ages. Notoriously, infants and young children yield a large proportion of the deaths in every epidemic, whilst such infants—either from being attacked before the vaccination age, or born too weakly to be submitted to the operation—necessarily furnish a large proportion of the so-called "unvaccinated." *E.g.* out of 637 small-pox deaths in Birmingham (1874), 189, or 29·7 per cent., are returned by Dr. Hill as not vaccinated. Of the total, 79 were under one year, 69 of whom, or 87·3 per cent., had not been vaccinated; and of 59 others, under five, 26, or 44·3 per cent., were not vaccinated. Whereas, of the remaining 499, at five and upwards, 94, or 18·8 per cent. only, were returned as not vaccinated. Now, the births in 1874 were under 15,000—*i.e.* small-pox deaths *under* one year to births 5·27 per thousand. The total population estimated was 360,892; deduct the 15,000 and we have small-pox deaths to population *above* one year 1·61 per thousand. Seeing, therefore, that four times the proportion die of small-pox among the infants—giving 87 per cent. not vaccinated, because not *able* to be—than of the remainder, giving less than one-fourth the rate of "*neglect*," it needs no statistician to prove that, when stated in the gross, the not-vaccinated *of all ages*, if attacked with small-pox, die in greater proportion than the vaccinated of all ages.\*

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\* The following was addressed to the Registrar-General: "Kingscote, Wokingham, 23rd November, 1876:—Sir,—In reference to the remark appended to your recent Small-pox Mortality Returns, that "among the vaccinated cases treated this year, the mortality has been 13 per cent., whereas, among the unvaccinated cases, it has been equal to 57 per cent.," allow me to observe that the proportion of deaths to cases must of necessity be much greater among the unvaccinated when taken in the lump at all ages; because a considerable number of the deaths in all small-pox epidemics are among infants and young children—(a) some under the vaccination age; (b) others born too weak to allow of their being vaccinated. To say that such died of small-pox in consequence of not being vaccinated, would be gross fallacy. If, how-

The results at each age should be compared ; for those who desire that statistics shall speak truly, will take care not only that the factors are given, but that the conditions are the same.

5. That while they so glibly accuse anti-vaccinists of preventing vaccination, and attribute the prevalence of small-pox as the effect of such agitation ; they cannot often find these opponents of vaccination (who from their intelligence attend to sanitary requirements) themselves suffering from small-pox.

6. That according to Mr. Marson, the leading authority, it frequently cannot be discerned in confluent cases, whether the patients have been vaccinated or not ; though in some of his own calculations, where recovery had taken place, he had *assumed* that vaccination had been performed.

7. That the oft-repeated assertion that the hospital nurses escaped small-pox because of vaccination, was disproved by Mr. Marson before the committee, 1871.

8. That before the admission of only four *revaccinated* cases into the pauper hospitals, in 1871, demonstrates the value of revaccination, it is first necessary to show that a large number of that class had actually been revaccinated—which, notoriously, was not the case.

9. That percentages on units or small numbers are of no value as a basis for scientific deduction. No more, indeed, than statistics of vaccine panic-mongers, who, in the absence of *any* returns prior to 1838, magnify former mortality above the birth-rate, which would have exterminated the race.

10. That a frightful amount of inoculable disease has been disseminated by vaccination (as proved before the committee, 1871, and more largely since) ; the very numerous deaths directly and continually resulting from the operation being by far the lesser of the two calamities. It is coolly said, the victim "*must have been infected*" beforehand. Leper wards are now to be established in London hospitals.

11. That the annual average death-rate from inoculable causes, *e.g.* syphilis, etc., has been so much *increased* by this practice (though under the average when small-pox prevails), that even the general death-rate from all causes has apparently not been greatly reduced by the operation of the Factory Acts, and two hundred millions sterling expended on sanitary works. Inquiry on the spot, from place to place, by *impartial persons*, has been pressed on the Government ; and an annual

ever, you will distinguish the ages at death, and give the proportion of deaths under one year, under five, and so on, it will probably be found that, the conditions being equal, there is little or no difference in the percentage of mortality among the vaccinated and unvaccinated at each age.—I am, etc., T. BAKER.—P.S.—It would be well if you could tell us what is the proportion of deaths FROM ALL CAUSES among the vaccinated, as compared with the unvaccinated."

#### 400 MORTALITY RETURNS REFUSED BY EXPERTS.

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return of infant mortality under one and under five, from specified causes (the too often direct cause being carefully excluded from the *scientific* nomenclature of disease), has been asked for, with averages during three periods—viz. from 1838 to 1853; 1854 to 1867; 1868 to date of return. But these reasonable requests have been refused, because it does not suit the views of the Medical-Vaccine Department which now alike governs Premier, Parliament, and Press.



SPEECH ON THE  
TRIAL OF MR. AND MRS. HURRY  
(THE "PECULIAR PEOPLE"), CHARGED WITH MANSLAUGHTER,  
AT THE CENTRAL CRIMINAL COURT, MAY 8, 1872,  
BEFORE MR. JUSTICE BYLES.

GEORGE and Cecilia Hurry were indicted for the manslaughter of two of their children, by neglecting and refusing to procure for them proper medical aid, during their illness with the small-pox.

Mr. *Baker* addressed the jury as follows:—

Gentlemen of the jury—It will not be necessary that I should address you at any great length in reference to this most extraordinary charge against the prisoner, and, if it were desirable, I have had no opportunity of fully looking into the case. The charge is altogether so unprecedented that I feel almost at a loss how to deal with it. Here is a man, acknowledged to be a most respectable member of society, without a stain upon his moral character—my learned friend has not ventured to impugn that for a moment—afflicted by the loss of his children, the objects of his most tender regard, with every attention paid to them necessary in the belief of the parents, charged with misdemeanour. And what is the avowed foundation for the charge? The foundation, I blush to say, is that he trusted in the Lord! Whether this preposterous charge—this most mon-

strous proceeding—be a case of religious persecution in intention, or of medical despotism, or of craven fear caused by the small-pox panic, or of all combined, I know not. But this I will say, that such a charge is a disgrace to the age in which we live. It has been well said that history sometimes repeats itself. In bygone days this city has been illumined by the fires of Smithfield; when some men were burnt for being papists, and others for abjuring the Pope. We have also had, in former times, miserable old women judicially murdered under the accusation of witchcraft. But it has been reserved for this year, 1872, that pious people (deluded though they may be) are charged with misdemeanour for trusting in the Lord! These people quote St. James the apostle, who says (5th chap. 14 and 15 vv.): "Is any man sick among you? let him call for the elders of the church; and let them pray over him, anointing him with oil in the name of the Lord: And the prayer of faith shall save the sick, and the Lord shall raise him up." And they believe it to be their duty to follow literally that injunction. Gentlemen, I am not one of the "Peculiar People," but I say they have an equal right to their own opinion in religious matters with you, and with all of us. To the arrogant and intolerant coroner, who has manufactured this charge, I would say, "Who art thou that judgest another man's servant?" Now, gentlemen, it is imputed to the prisoner, who places his faith in the Lord, that he has no faith in vaccination. Well, we know that in the best-vaccinated places the small-pox mortality has been three and four times greater than in London, where vaccination is said to have been greatly neglected. Dr. Seaton, the vaccination inspector to the Privy Council, in his evidence before the Committee of the House of Commons last year,

stated that Prussia was one of the best-vaccinated countries in Europe, vaccination having been compulsory there for years and years. Also, that Ireland was now so well vaccinated since the Compulsory Act of 1863, that small-pox has been altogether stamped out ; yet it was well known to those who keep their eyes open and see what is going on around them that, according to the Registrar-General's Returns, the small-pox death-rate in Berlin, during the quarter ending 31st December last, had been nearly eight times that of London, and in Dublin it has been seven and a half per thousand for this last quarter, as compared with one per thousand in London. In Bridgewater also, which I have lately had occasion to visit, I found the small-pox mortality rate had been double that of London last year, and seven times as great this year ; yet 99½ per cent. of the population, on a house-to-house visitation, had been found vaccinated. Moreover, we find also, according to Mr. Marson's evidence, that 84 per cent. (in 1864) of the deaths in the small-pox hospital were vaccinated cases, a steadily increasing proportion with the increase of vaccination. Can we, then, *blame* the "Peculiar People" for trusting less in vaccination than in the Lord ? Are WE not rather a *peculiar people* to be ever leaning on a broken reed ; seeking to supplement by persecution what medical nostrums fail to accomplish ? Have not the "Peculiar People," who trust in the Lord, as good a right to allege that they have been specially raised up to restore the British people to their pristine common sense ? Again, gentlemen, are we to have no freedom of opinion on physiological subjects ? Is there to be no more medical inquiry ? In medicine, is "Thus far shalt thou go and no farther" to be the established rule ? What has become of bleed-

ing—not long since universal? What has become of the once pet poison of the faculty—mercury? What has become of inoculation for small-pox, formerly as much the rage as vaccination now? All assigned to the limbo of perdition, as vaccination will also be ere long. In the face of the facts before us—the notorious failures of vaccination, and the acknowledged evils produced by it in the transmission of other loathsome diseases, such as was proved before the Commons Committee by Mr. Hutchinson (and numberless such instances of transmission have occurred abroad)—in the face also of the opinions of such authorities as Dr. Copland, who writes, in 1848, that “the middle of the nineteenth century finds the majority of the profession in all latitudes doubtful as to the efficacy of vaccination;” are the people of this country (whether “peculiar” or otherwise) to be dragooned into the use of the poisoned lancet, without being allowed a voice in the matter? Are the necks of the British people so utterly beneath the heel of an iron medical despotism as this? Gentlemen, I feel confident that you will agree with me that the idea is preposterous; by your verdict you will scout this infamous persecution.

Well, gentlemen, besides a lack of faith in vaccination, the prisoner has presumed to avow a want of faith in doctors, or at any rate a greater faith in the Lord. Are we, then, all agreed as to the wisdom, and learning, and virtue of doctors? Are *they* all agreed amongst themselves? Which school of medicine are the “Peculiar People” to adopt? Or is every practitioner, not of the Privy Council school—a homœopathist or hydropathist, for instance, having more faith in water than poison—and the friends of every one who follows his advice (for “it is appointed unto all men once to die”) to be charged with misdemeanour?

[The learned gentleman then read copious extracts from the work of Dr. Dickson—who, he said, was a physician of considerable and acknowledged eminence—pointing out numerous fallacies in medical practice and opinion, and proceeded:] It was perfectly clear that a superstitious dread of contagion by those who neglect sanitary arrangements was at the bottom of this iniquitous persecution. This, indeed, was apparent from the opening of his learned friend, who was instructed to put forward the statement that the “Peculiar People” had spread the small-pox, a statement utterly disproved by the evidence. It was not the first time that contagion panics had cursed this country. It was now small-pox, but it had been the same, as pointed out by Dr. Dickson, when cholera prevailed.

That such a question as vaccination was a bread-and-butter question must be manifest to every one. What would become of any young medical man daring to avow opinions out of the fashion? Why, he would be left to starve! It is only men of eminence who have made themselves independent that can afford to speak out and tell the truth on such subjects.

Dr. Dickson very truly says: “Philosophy, wisdom, and liberty support each other;—he who *will not* reason is a bigot—he who *cannot* is a fool—and he who *dares not* is a slave! The base and selfish of all ages have ruled mankind by terror. By this the priest has trampled down reason; the despot, the rights of a people.”

The learned gentleman proceeded to say that one of the “Peculiar People,” like a good Samaritan, tolerant of the opinions of others, had recently, in the course of his visits to the sick, found a young man, not of his faith, and therefore, as he thought, requiring

a doctor. What did he do? Why, he went to a medical man, who had given evidence in this case before the coroner (why was he not called now?), and this doctor refused to go to the sick man, until the Samaritan had put his hand in his own pocket and paid the medical Levite his fee. Is the respectable citizen, who places greater faith in the Lord than in *such* men, to be herded with common felons on a charge like this?

Gentlemen, when I consider the nature of this charge, and the absurd superstition that underlies the excuse for it,—when I think that it is in England that this fearful tyranny exists, and that I am an Englishman,—I confess myself almost overwhelmed with *shame*. In former ages, and especially in foreign climes, the *bugbear* CONTAGION has led creatures, bearing the shape of men, into the commission of frightful crimes. We once thought that England, at least, had been emancipated from all stain of such brutality. The writings of the late Dr. Southwood Smith on Epidemics, Contagion, and its offspring Quarantine, brought the British Government—some twenty years ago—the cordial thanks of foreign rulers! This subject is of special importance in view of the presentment of the grand jury.

Now, said the learned gentleman, the “Peculiar People” paid especial attention to sanitary matters—they keep their dwellings clean, and their children too—that is why I have troubled you at length with these opinions, which are so important as showing that sanitary works and cleanliness, which had banished jail fever, plague, and other epidemics, would also banish small-pox. This, gentlemen, is the way to “stamp out” epidemics, small-pox among the rest. But just now the people of this country seem to have

lost their wits! A small-pox epidemic, mainly produced by our own folly, appears to have emasculated the nation! "distilled almost to jelly with the act of fear," as our immortal poet well delineates the effect of that degrading passion. The liberties of the people are lost sight of amidst a slavish dread, lest the liberty of one man should be injurious to another! When we have added a slavish fear to the other vices which disgrace our country (such as drunkenness and avarice), truly will the glory of England be departed! Nations as well as individuals may be carried away by passion, and must suffer in consequence as surely as individuals. Gentlemen, I never contemplate the baneful effect of giving way to evil passions without being reminded of an eloquent simile which it was once my lot to hear from the pulpit, when the reverend gentleman,\* rising to a pitch of eloquence, which, would that I could imitate! said, speaking of the passions—"They are like those daughters which the poet has fabled for King Lear!—they first beguile their victim of all his moral sovereignty and power; and when he is weak, and old, and dependent, they then strip him of every ministering joy, of every attendant consolation; and cast him out into the desert; and leave him, in his wretched solitude, in his miserable imbecility, to the darkness of the night, and the fury of the elements!" Gentlemen, if nations be carried away by degrading passions, as I have said, they must assuredly suffer in like manner. Now, in England a new vice seems to have sprung up, as new diseases are created,—a kind of craven apathy, which stands by witnessing the most monstrous acts of tyranny perpetrated by men "dressed in a little brief authority" on con-

\* The Rev. Henry Giles, formerly of Liverpool, and afterwards of the United States.

scientious citizens who, under the Hampdens of a bygone age, would also have been *free men*. Now, alas! while members of the House of Commons and the Government think mainly of the votes of ignorant constituents, these voters are bowed down by the abject selfishness of a causeless terror!

Gentlemen, I will not insult you by supposing it possible that you—an intelligent jury of this metropolis—will hesitate for a moment to acquit the prisoner: I cannot, I dare not, I *will* not believe that any twelve true men can yet be found capable of convicting a worthy member of society of misdemeanour, because he trusted in the Lord! Why, gentlemen, are we not all urged every Sunday, from the pulpit, to trust in the Lord? Gentlemen, one word more. A short time since this city knelt in thanksgiving that the life of a prince was spared! Physicians of the first eminence had done their utmost, and watched around the royal patient's bed; and watched, they thought, in vain. They felt they had done all they were able, and *knew* that they were powerless. The prayers of the people were invoked! The nation knelt! The prince recovered. Thirty million thanksgivings were poured forth that their prayer was answered! Gentlemen, was all that prayer and thanksgiving a solemn act of national hypocrisy? Was it *not* believed that the prayers were heard? And shall not the peasant pray as well as the prince? Shall we be told that in the one case faith in the Lord is all-powerful, in the other that it is misdemeanour? I call upon *you*, gentlemen, to answer the question by your verdict!\*

\* On the understanding that the prisoners would not be punished, a nominal verdict of guilty was submitted to. It has since, however, been more than once laid down from the judicial bench, that failing to employ a doctor is not a criminal offence.



## (VITAL STATISTICS.)

(*Society of Arts Journal*, 25th June, 1880.)

AMONG the sciences that have made great progress in modern times, is the science of statistics, which treats of the general condition and resources of society. As applied to commercial questions, and manufactures especially, the science has attained a high degree of perfection, and is correspondingly valuable. That branch of the science, however, which we call "vital statistics," and which purports to elucidate the conditions pertaining to the health of communities, cannot be said to have made anything like parallel progress with commercial and political statistics; inasmuch as it will be admitted that there exists scarcely any single deduction, professedly based upon vital statistics, which has not been, if it be not still, largely disputed, or seriously brought into question, by numerous persons claiming to be qualified to form a correct opinion. The reason of this uncertainty probably arises from the fact that, because vital statistics relate to the health of the people, the people themselves take very little interest in their investigation; and the matter is left almost solely in the hands of medical men. It seems to be supposed that because it is the business of doctors to cure disease, therefore it falls within their province alone to consider and treat of all matters relative to the preservation of health. Now, the

practice of medicine has been, from time immemorial, and is still, a practice of empiricism ; and the nature of empiricism has nothing in common with that of statistics. Moreover, the kind of education which instructs a medical student to make use of some particular drug in the Pharmacopœia, to mitigate certain symptoms, because the great physician So-and-so introduced it at such a time, and the profession have adopted it since ; nevertheless, the equally eminent pathologist So-and-so maintains that, for the same symptoms, the exhibition of some other substance is even more efficacious, if not greatly preferable ; and, therefore, the practitioner should try one, and then the other, according as he finds this or that best suited to the constitution of his patient, or until some still more patent remedy comes into fashion ;—this kind of education surely is not that which best fits the student for the pursuit of questions depending upon mathematical precision, or the examination of evidence on which he may base any scientific induction. Hence it is, therefore, that manifold rash deductions are put forward ; and hence that "doctors differ" is not more true in relation to symptoms and treatment, than to statistics. Premising, then, that it is surely far more the business of a citizen of the world to preserve his own health, than it can be of the medical practitioner, whose very maintenance depends upon curing or mitigating the diseases and pains of the community, let me point out a few of the kind of statements commonly put forward as "vital statistics," which really are not scientific.

Suppose we take two hospitals, A and B, and say that, in the treatment of a particular disease, the superiority of A over B was shown by the fact that in A the proportion of recoveries to cases had been 50

per cent., whereas in B they were only 20 per cent. This would by no means be a scientific statistic. It might impose upon numberless people, but is of no value whatever. To arrive at any fair comparison in such a case, it is necessary that, not one alone, but every possible factor should be supplied. Now, in the above statement, no mention is made of the number of cases treated in each hospital; the statement may be quite true, but if A had four cases only, while B had five hundred cases, the truth of the statement will not save it from insinuating, by a *suppressio veri*, one of the grossest species of falsehood. Often in comparisons of this nature particular circumstances, such as season, local surroundings, class and condition of patients, length of period during which the comparison is made, are also necessary to be considered; but in no case can the numbers upon which the calculation is made be fairly omitted. Often, indeed, where the numbers are large, as in the case of national statistics, where many millions are taken into account, a balance of some minor conditions may perhaps suffice; but the more limited the area the more important is it to consider every possible varying condition and circumstance. Yet we constantly see statements analogous to the foregoing put before the public, and called "vital statistics." And, whenever we do, we may be sure the object is to prop up some baseless theory; unless, indeed, it be "a tale told by an idiot." Whatever the object be, whether to found a theory or support a foregone conclusion, any suppression of facts, in order to suggest an erroneous inference, is one of the worst species of moral turpitude.

It is to be feared that this kind of parboiling, as applied to vital statistics, is far less uncommon than it ought to be. Hence we hear honest men say they

have "no faith in statistics," "statistics may be made to prove anything," and so on ; whereas nothing can be more certain, more axiomatic, than deductions from statistics fairly given, where all facts are taken into account, and comparisons, when made strictly *ceteris paribus*. There is sometimes a loose method of constructive reasoning indulged in, as, for instance, that "in the last century such a malady largely prevailed, and vast numbers were destroyed ; whereas, during such and such a period, two per cent. only of the population have suffered from the cause in question." This again sounds very convincing, but it is absolutely worthless as a statistic. We cannot compare two periods unless we are furnished with the number of the population at each period, the number of attacks, on competent authority, the number of deaths, and ages at death, at least. Even then improved methods of treatment, local sanitary surroundings and habits, may give rise to very considerable fallacy in any scientific comparison.

In truth, the science of vital statistics can commence only, in any country, with the date of trustworthy official registration of births and deaths, with classification of diseases, and ages at death. In England this date was 1838.

From thence we are able to obtain the population in the kingdom, or in any district ; we can get the mortality during every year, from any specified cause, and the ages of those who died.

If we direct our attention towards the prevalence of any zymotic disease, for example, we may thus deduce the death-rate per cent., or, better, per million—where comparison is required—of population ; and the proportion of deaths at each age to total deaths from the cause under review. We can, moreover,

trace the operation of sanitary improvement from time to time during the periods under examination, the effect of millions expended on works of drainage, supply of pure water, improved ventilation from superintendence of buildings by local surveyors, etc. We can further see, when comparing the proportional mortality at the different ages, the effect of official care in the protection of the young by children's employment commissions, which have laboured and reported at several periods, and, above all, of the large supervision over the employment of women and children in factories, and now in almost all branches of industry, by the large factory department of the Home Office. Enlightened physicians, too, may trace the effect of more scientific medical treatment, improvements in the pharmacopœia, and in legislative measures taken to prevent the adulteration of food, the sale of poisons, and diseased meat, etc.

In every inquiry of this nature, however, the greatest care should be taken to guard against fallacy; and fallacy may easily arise. We must have all the factors; no number must be omitted, no circumstances left out of the account. If we would show the result of any improved practice in any particular trade, let us have the population, the number employed in the trade, their ages, the rate of mortality among the whole, and at each age as compared with that in similar localities, their surroundings, etc.; and if any difference of condition or treatment is to be observed, let us be careful to know the numbers under each variety; *e.g.* it is by some imagined that a particular drug will prevent the effect of lead poison in chemical manufacture. Such a statement as the following has been aforetime put forward:—"Out of fifteen thousand cases of lead poisoning treated, only four died who had

had this specific properly administered. See the wonderful protection thus afforded!" But where is the wonder, or proof, in such an assertion? We are not told how many out of the fifteen thousand had taken the specific; far less how many had it properly administered. From the bare statement, it would be perfectly possible that the four only who died had the benefit of the supposed remedy. To give percentages, founded solely upon a varying number of doses, would be equally delusive, the number of recipients and other conditions in each case being omitted. Yet persons unaccustomed to the consideration of figures are but too apt to receive such, and similar statements, as axiomatic proof of the value of a remedy; and the introduction of the "properly administered" provides the quack with an excuse for any amount of failure.

To prove the efficacy of a nostrum, we have seen an amount of suffering, in former times, put forth constructively, when no means whatever of testing the assertion were in existence; and a rate of mortality claimed that, had it been true, would have killed off the entire population to the last man, many decades before the comparison commenced!

With reference to the spread of epidemics, also, we have seen the most positive statements that a particular disease which prevailed at A, was kept out of B by isolation or quarantine, without the smallest attempt to show that no one had passed from A to B, without any reference to the direction of the wind, or of the local conditions of the two places; and yet such valueless opinions have, with the multitude under panic, and fear of contagion, had the effect of setting aside scientific deductions, the result of minute investigations, over thirty-five degrees of latitude,\* that

\* By the French physician, Dr. Chervin.

the disease in question was invariably dependent on local sanitary conditions, and never in a healthy locality communicated by the sick to their attendants.

On the other hand, in claiming large benefits from sanitation, we have to guard against the fallacy of proving too much. About twenty years ago, some highly important statements (had they been true) were put forth by medical authorities, to the effect that a very large diminution of mortality had taken place in the army, in consequence of certain measures of sanitary improvement, then recently adopted. The percentage of deaths in the forces was given for a long period prior to the improvements, and, side by side, was placed the then present rate of mortality. The difference was immense! Apparently one-half of those men who had died during the former period had been sacrificed to the want of appliances and conditions which had since been provided. Unfortunately, this mighty superstructure was destroyed by one most monstrous, and, when pointed out, no less transparent fallacy. During the first period given recruits were enlisted for an indefinite period; and if men were invalided out of the service, such invalids were entitled to a pension. These were therefore treated in hospital by the army surgeon, and if they died, it was the practice to debit the mortality to the army. But before the second period of our famous statistical comparison had arrived, the short service system had been introduced. The men were then enlisted for twelve years only, and in case of invaliding out were not entitled to any pension. On this system a man suffering from any serious malady readily obtained his discharge, by which the regimental doctor would be relieved of trouble and responsibility, and the department saved the cost of maintenance and

burial, or subsequent pension. The sick man returned to the civil population ; and if he died, the military rate of mortality, at least, was rather diminished than increased by his discharge. What, then, became of the boasted life-saving by these measures? They may have been to a considerable extent beneficial ; but how easily do we see that fallacious inferences may be built up on a base of very slender foundation. A similar claim has been more recently put forth by a correspondent in the *Times*, without the smallest allusion to the different periods of enlistment (first, for life ; next, for twelve years ; which, in 1870, was reduced to six years), so innocent are authorities on figures when dealing with statistics. The case is quite strong enough when fairly stated, and always suffers by exaggeration. This factor of comparative length of service will be, for a considerable time, no doubt, a very important one in any other statistical calculations relating to the health or mortality from any specific cause in the army, and probably also in the navy. In order to afford results for any practical comparison, not deaths alone should be given, not careful classification of diseases only, but deaths at each year of age, and from each cause separately. Also number of years passed in the service, both in the cases of death from the cause under review, and in invalids discharged by reason of the same specific cause, and the number of years served.

Suppose, again, our inquiry relates to the prevalence of any specific disease, which may be, in its nature, chronic, or of long duration. Among recruits in their first year, a certain proportion suffer from this cause. Under the long-service system, the bad cases would be treated in hospital during the second year, the third, and so on ; but, under the short-service rule,



such bad cases would be at once discharged, and thus only the number sickening in each year would be the number under treatment from time to time. Obviously, there could be no just comparison as to the prevalence of such disease in the two periods, or as a result of any practice introduced in the second which had not prevailed during the first period. In short, to be of any real practical value, the returns, both in relation to death and disease, should furnish materials for thoroughly exhaustive investigation.

So also in civil life. If, for instance, any real comparison be desired in reference to the prevalence of zymotic diseases, so as to note the march and result of improving civilization, fair comparisons can only be made when every possible difference of circumstances is taken into account. We must have age, condition, occupation, local surroundings, and season. The returns should specify the deaths from each specific cause, under one year of age, from one to two, two to five, five to ten, ten to twenty, twenty to forty, forty to sixty, sixty and upwards. The two first years it is very important to distinguish, but usually we jump from one to five. Now, no infant can be said to have attained to what may be called child strength before two years old, and all epidemics carry off most victims in infancy. Often, indeed, the confounding, or mixing up, of infant with adult mortality opens the door to considerable fallacy in calculating results of sanitary improvement. Children, especially infants, should invariably be kept distinct from adults, and all comparison as to effects of varying circumstances should, as invariably, be made between subjects of the same age.

That sanitation must, in all cases, be productive of benefit, no reasonable and intelligent person can

doubt. Take, as an example, the comparative mortality in improved dwellings for the artisan class. It has been customary, however, to compare the death-rate in such model dwellings in London with that of the entire metropolis. But it is manifestly unfair to contrast the value of exceptional improvements in Bethnal Green with the normal mortality of Belgravia: to draw comparisons between suburban districts and the densest purlieu of a crowded city. The comparison should uniformly be made between the average mortality of the population, within the smallest area immediately surrounding the model dwelling which can be obtained, with that of its own mortality. At the request of the directors of the Metropolitan Association for Improving the Dwellings of the Industrious Classes—the pioneer society in that movement—I, last year, obtained, at the General Register Office, the mortality in the registration subdistrict within which each building of the association is situate; and was thus able to show, as I expected, that the saving of life in these buildings, when contrasted with the average rate of its subdistrict, was far greater than it had appeared when compared with the whole of London.

We may, indeed, always feel certain, that improved sanitation will lower the death-rate of any building, district, town, or country. When, therefore, it is asserted that the large expenditure during the last half-century—amounting, I believe, in the aggregate to about 120 millions sterling—has had no effect in lowering the death-rate in this country, I stand prepared to deny the statement.

I deny that purer air, by improved ventilation, and the removal of nuisances of every kind, the supply of purer water, the official supervision of women and

young children in manufactures of all sorts, and improved medical treatment of diseases of all kinds, have been without effect.

It follows, if I am thus far right, that there must exist some counteracting cause or causes. Let the scientist, then, direct his labours towards the discovery of such counteracting cause or causes.

Given fewer epidemics, resulting from improved sanitation of various kinds, why has not the general death-rate exhibited a corresponding diminution?

One zealot may point to intemperance; but is it true that, in proportion to the population, there is more drunkenness than formerly?

Another enthusiast may urge that increased comforts, or, in other words, more luxurious habits among the community, tend to lessen the constitutional ability to resist the causes which induce death.

A third may point to the more general use of narcotic poisons, as tobacco; but the manufacturer may allege that many hundredweights of substitutes, such as cabbage leaves, etc., are smoked for one hundred-weight of tobacco.

Every theorist may have his particular fancy, and no doubt the personal habits of the people must greatly affect the weal or woe of their existence, as well as length of days. I much question, however, whether any of the foregoing will anything like suffice to account for this apparent mystery. Could we point to some universal cause, some altered circumstance which affects alike all persons of all habits and conditions, it might help us. Suppose, for the sake of example, the climate of the country had changed for the worse, instead of the contrary (which, I believe, meteorologists will affirm to be the case), that would be a cause altogether independent of the habits of

the individual, from which all alike would naturally suffer.

It is manifestly not the purpose of this paper to account for the great and disappointing fact, that thus far, spite of universally improved sanitation, the general death-rate of England has not been more diminished.

Inquiries of this nature may be carried to any extent, by reference to the Registrar-General's returns. We have at present the general death-rate, and the proportions at fifteen different periods of life, to total. Also a general classification of causes of death. From these the statistician may find annually, and as far back as his records extend :—

1. The proportion of deaths, from any specified cause, to total deaths.
2. The proportion of deaths at each age, to deaths at all ages.
3. And, further, the proportion of deaths, from any specified cause, at either division of age, to the total deaths at such ages, and to the total of such cause of death respectively.

I have only again to urge, that all deductions, to be of value in the inquiry, must be based on well-ascertained facts, stripped of every possible source of fallacy.

## STATISTICS OF SMALL-POX AND VACCINATION IN ENGLAND,\*

DEDUCED FROM THE RETURNS OF THE REGISTRAR-GENERAL.

IN England we now have peculiar advantages which enable us to observe the ravages of any epidemic, in particular districts ; and the effect of any practice upon the death-rate, such as sanitary works on the one hand, or vaccination.

So far back as 1838 a complete system of registration of births and deaths was established, presided over by a public officer called the Registrar-General, who classifies the causes of death, as certified by medical practitioners on registration. We can thus compare the rate of increase or diminution, from all or any causes of death, in proportion to the population, and to the births.

Before 1838 we have no records of this kind. With regard to small-pox, therefore—although numerous well-meaning persons assert that the ravages of this disease were most alarming and constant prior to the “great discovery,” as it is falsely † called—we really

\* This paper, read at the International Congress held at Paris, 1880, subsequently appeared in the *Truthseeker*.

† It was farmer Jesty—not Dr. Jenner—who first substituted for small-pox, cow-pox inoculation ; which was opposed by John Hunter, the greatest of physiologists—but patronized by George III., when brought out by Jenner, three years after the death of Hunter. (See note, p. 373.)

know only that Mr. Marson, the surgeon to the Small-pox Hospital for forty years, has testified \* that there was no epidemic of small-pox in London from 1796 to 1825.

What the small-pox mortality was in 1825 we have no means of knowing; but Baron, in his life of Jenner,† says, "In 1823 Edward Jenner died, and in 1825 small-pox was as prevalent in London as during any of the three great epidemics of the preceding century." Here we have evidence that small-pox was not a constant quantity, as so often insisted; but epidemic only, in the last, as in the present century; during which we have also had three great small-pox epidemics—1825, 1838, and 1871.

The sole foundation for the constant small-pox theory, formerly, is the statement of Dr. Lettsom:‡ "In London and its environs there are about one million inhabitants, of whom about 3000 die annually by the natural small-pox; or about 36,000 in England and Ireland." But it is obvious, on its face, that nothing could be more fallacious than this statement. Even for London, what were then called the Bills of Mortality were made up from reports of ignorant nurses, who called any sort of exanthematous disease "small-pox:"—and the "or" is ridiculous, or something worse.

The following are extracts from reports of National Vaccine Establishment, constituted in 1808:—

1811.—"Previous to the discovery of vaccination the average deaths by small-pox, in London, was 2000 annually."

1818.—The above was repeated.

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\* Reynolds' "System of Medicine," Article "Small-Pox."

† Vol. i. p. 272.

‡ "Observations on Cow-Pox," p. 31, 2nd Edition.

- 1826.—“ Before the introduction of vaccination the average number of deaths by small-pox, in London, was annually about 4000.”
- 1834.—“ Only 334 deaths by small-pox have been reported . . . falling short by at least 4000 of the average deaths annually by small-pox, in London, before the cow-pox was discovered.”
- 1836.—“ The annual loss by small-pox in the metropolis, before vaccination was established, exceeded 5,000.”
- 1839.—“ 4000 lives are saved every year in London since vaccination.”
- N.B.—This year, 1839, was one of those small-pox epidemic years from which Dr. Seaton's famous average was taken before *compulsory* vaccination.

Thus has constructive small-pox mortality in the past been built up by the experts to impose upon the credulous.

With regard to 1825, then, we are utterly ignorant as to the extent of the epidemic. That of 1838, which prevailed four years in England, was very severe; and the average of those four years has been continuously assumed to have been the annual average death-rate from small-pox from the commencement of the century down to 1853, when the neglect to vaccinate an infant within three months of its birth was first made a penal offence by the wisdom of the British Parliament. We have no means, however, of comparing the mortality in different localities in the 1838 visitation.

The 1871 epidemic in England and Wales may be said to have commenced in the last quarter of 1870, and continued to the end of the second quarter of 1872, soon after which dry weather set in. Brighton and Llanelly, two coast towns, appear first to have been epidemically attacked; next London, and the ports on the east coast. With very few exceptions the epidemic period did not extend over more than four quarters at one place; in some only two,—bursting into activity, and as suddenly departing. In

several, the greatest mortality was during the second quarter of 1872. The epidemic varied exceptionally in its duration, as well as its date. Thus its force was spread over six quarters in Swansea and Guisborough ; five in Durham, Leeds, and Wolverhampton ; whilst, on the other hand, at Norwich, Yeovil, Chester, Weymouth, and Stoke-upon-Trent it spent itself in two quarters.

Persons who believe that vaccination spreads instead of mitigating the disease, note that many of the later outbreaks (marked † in the tables) followed the panic, and vaccination prosecutions. They point to this as cause and effect—*e.g.* Northampton suffered the highest small-pox mortality of any inland town. In that place, not particularly clean, perhaps, much opposition to vaccination was felt. In the middle of January (the small-pox deaths in the two previous quarters having been 47 and 9 respectively) 120 vaccination summonses were disposed of in one day. The people, being chiefly working shoemakers, were too poor to pay repeated fines, and therefore succumbed to the pressure. The small-pox deaths during the then current quarter reached 157, and in the next quarter 216. The same results followed similar action in other places : the result of such increased inoculation, as they deem vaccination to be in fact.

From the following tables of small-pox mortality in proportion to population, calculated on the census returns of 1871, it is abundantly plain that this, in common with all other epidemic diseases, chiefly prevails in crowded and dirty towns, the presence of superabundant moisture increasing its force ; and probably that the mixture of salt, with filthy fresh water, supplies an additional aggravation in seaports at river mouths. A large number of inland and clean



towns on the coast, as well as inland watering-places, depending on free communication and reception of visitors from all parts, at all times, afford ample proof that such were able to bear the presence of sporadic cases—either inoculated, as alleged by some, under the name of vaccination, or imported, as alleged by others—without any spreading of the disease.

At all events, it must be admitted that by these statistics we have demonstrative proof that vaccination cannot either prevent or mitigate small-pox. How far the general mortality from all causes is increased by vaccination and revaccination can never be known; or at least until the practice, after having thus proved abortive for the object for which it has been introduced, shall have been—like its forerunner, inoculation proper—for a long period discontinued before the light of sanitary science.

The following tables show the rate of small-pox mortality 1870–1872, per million of population in the principal districts in England, having 50,000 inhabitants and upwards, including also any of less population where the epidemic was severely prevalent—the four heaviest quarters in each case. Early outbreaks marked \*; later outbreaks marked †. N.B.—There are 600 principal districts in England and Wales, reckoning London as one; of which 61 only had no small-pox deaths during the 18 months ended 30th June, 1872:—

1.—INLAND TOWNS.

†Northampton ... ..	8450	Croydon ... ..	960
Bedwellty ... ..	7940	†Burton-on-Trent... ..	900
Auckland... ..	6670	Manchester ... ..	870
†Walsall ... ..	6170	†Clifton... ..	810
Coventry ... ..	5080	Nantwich... ..	780
†Wolverhampton ... ..	4810	Keighley ... ..	750
(5 qrs.)		Bolton ... ..	740

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†Merthyr ... ..	4550	Warwick ... ..	720
†Dudley ... ..	4320	†Warrington ... ..	700
	(chiefly 1)	†Birmingham and Aston	680
†Pontypridd ... ..	4200	†Oldham ... ..	640
Nottingham... ..	3980	Chorlton ... ..	600
Yeovil ... ..	3920	†York... ..	590
	(2 qrs.)	†Belper ... ..	580
†Sheffield ... ..	3810	Kingston ... ..	570
†Mold ... ..	3530	Wigan ... ..	560
†Ulverston ... ..	3270	†Derby ... ..	540
†Stourbridge ... ..	2960	Penzance ... ..	510
†Leicester ... ..	2810	†Barnsley ... ..	500
†Rotherham ... ..	2800	Wolstanton ... ..	410
Guisborough ... ..	2560	†Burnley ... ..	400
	(6 qrs.)	Rochdale ... ..	380
*†West Ham ... ..	2450	†Lincoln ... ..	380
	(5 qrs.)	†West Bromwich ... ..	350
†Basford ... ..	2390	Halifax ... ..	350
Wakefield ... ..	2060	Dewsbury ... ..	340
Prescot... ..	2040	†King's Norton... ..	300
Salford ... ..	1960	†Bradford ... ..	190
Stoke-on-Trent ... ..	1670	Stockport... ..	140
	(2 qrs.)	Huddersfield ... ..	130
†Chesterfield ... ..	1630	Bury (Lan.) ... ..	90
Redruth ... ..	1570	Haslingden ... ..	90
Brentford... ..	1510	Macclesfield ... ..	80
*Ormskirk ... ..	1380	Preston... ..	70
Leeds (5 qrs.)... ..	1270	Ashton-under-Lyne ... ..	60
Barton-on-Irwell... ..	1030	Blackburn ... ..	30

### 2.—PORTS AT RIVER MOUTHS.

*Great Grimsby ... ..	9500	Maryport ... ..	3810
*Sunderland ... ..	8790	Stoke Damerel ... ..	3770
*South Shields ... ..	8250	Plymouth... ..	3610
†Bideford ... ..	6740	Liverpool ... ..	3580
Southampton ... ..	6300	Falmouth... ..	3470
†Scarborough ... ..	3390	*Swansea ... ..	2270
†Portsmouth ... ..	3380		(6 qrs.)
†East Stonehouse ... ..	2950	Weymouth ... ..	2270
Yarmouth... ..	2760		(2 qrs.)
Alverstoke, Gosport ... ..	2340	Hull and Sculcoates ... ..	1860
Newcastle-on-Tyne ... ..	5900	Hartlepool ... ..	1570
†Dover ... ..	5790	Whitby... ..	1160
*Llanelly ... ..	5560	Burnham ... ..	900
	(last qr. 70)	†Whitehaven... ..	760
*Gateshead ... ..	5260	Barnstaple ... ..	640
Tynemouth ... ..	3970	Birkenhead ... ..	510
Neath ... ..	3850		

3.—PORTS ON RIVERS.

Norwich ... ..	6910	Newport (Mon.) ... ..	1940
	(2 qrs.)	†Chepstow ... ..	1310
Durham ... ..	5950	Bristol and Bedr ... ..	1000
	(5 qrs.)	Chester... ..	840
Bridgewater ... ..	4100		(2 qrs.)
Bridport ... ..	3530	King's Lynn ... ..	820
*Stockton ... ..	2990	Medway (Sheerness) ... ..	710
†Ipswich ... ..	2520	†Cardiff ... ..	630
London ... ..	2380	Gravesend ... ..	510
(Hackney gave ... ..	3230	Totnes ... ..	400
Shoreditch „ ... ..	4220	Sheppey (Chatham) ... ..	110
Bethnal-green) ... ..	4190		

4.—COAST WATERING-PLACES.

Cromer ... ..	1110	Ramsgate... ..	170
*Brighton ... ..	1070	Harwich ... ..	150
	(last qr. 70)	Newton Abbot (Teign-	
Holywell (see Mold) ... ..	1020	mouth and Torquay)	110
Exmouth ... ..	930	Tenby ... ..	100
Harrogate ... ..	740	Folkestone ... ..	100
Newhaven ... ..	520	Worthing... ..	90
Isle of Wight ... ..	360	Margate ... ..	70
Haverfordwest ... ..	290	Deal ... ..	70
Conway ... ..	270	Anglesea ... ..	60
Barmouth ... ..	240	Pembroke ... ..	60
Eastbourne ... ..	230	Bangor... ..	50
Workington... ..	210		

5.—INLAND WATERING-PLACES.

Matlock ... ..	560	Bath ... ..	10
Tunbridge Wells ... ..	280	Leamington... ..	0
Cheltenham ... ..	40	Buxton ... ..	0

It will be seen that the epidemic prevailed most severely at the river-mouth ports. In like manner Leith, and especially Dundee, suffered most in Scotland; Dublin and Cork in Ireland, where the mortality reached 7500, and 23,200 (1 qr.) per million respectively; and the Hague, Hamburg, and Rotterdam, more than double that of Berlin.

It is truly astonishing to observe what loose statements, and what hardihood of assertion, are commonly

indulged in by some advocates of vaccination, and accepted as evidence by others. Dr. Worlomont, of Brussels, who recently read a paper before the British Medical Association, therein stated that out of 10,000 subjects whom he had vaccinated with calf-lymph, not one, as far as he was aware, was attacked by small-pox during the epidemic of 1871; and this has been referred to as *evidence* that they were not. The medical chief associated with the Health Department of the British Government, 1848-1854 (Dr. Southwood Smith), was much impressed with the axiom which is instilled into the mind of every student of law—that evidence is what a man *has* seen, not what he has *not* seen. Dr. Worlomont may not have witnessed an attack of small-pox among any of these 10,000, but that is no evidence at all that none of them suffered an attack; for they might have been treated by any number of other practitioners.

A most remarkable instance of this difference in what is called *evidence* was afforded in the following case. Among the 542 medical men, chiefly hospital surgeons, who answered the celebrated questions issued by the English Medical Officer of Health in 1857, Mr. Hutchinson was specially mentioned to the Commons Committee on Vaccination, 1871, and a letter exhibited to them from that gentleman, to the effect that during many years he had not seen the slightest suspicion of injury resulting from vaccination.\* What could be more apparently conclusive, as coming from so close an observer, of such high standing and unimpeachable veracity? But, called before the committee a few days after, Mr. Hutchinson proved—1. That he had not vaccinated since he was an apprentice. (How, then, could a man see that which he

\* See page 187, Committee's Report.

had no opportunity of seeing?) 2. That he had then before him eleven cases of invaccinated syphilis, out of thirteen robust adults, revaccinated from a single apparently healthy vaccinifer, at a vaccination station, without, in his opinion, any blame to the operator.\* Here, then, was an appeal, not from Philip drunk to Philip sober, but from what Hutchinson had *not* seen, to that which he *had* seen.

At the discussion on Dr. Worlomot's paper, the meeting was asked by Dr. Stevens, of the Medical Department, to believe that the danger of the transmission of syphilis by arm-to-arm vaccination is "the millionth part of a chance," and Dr. Ballard, also of that department, asserted that the risk is "infinitesimal, for," he said, "I never saw it." The meeting was also told that the late chief vaccination inspector, Dr. Seaton, was not bigoted, but open to conviction, if he could see mischief. But is it not possible that gentlemen may sometimes view these matters through departmental spectacles, which have not the power of exhibiting actual facts? If we examine the figures of the Registrar-General, in a return to the House of Commons (No. 433, session 1877), procurable from Hansard, it will be found that the deaths from syphilis among infants under one year, had increased fourfold per million of births in 1875, as compared with 1847. In 1847 the rate was 472 per million born, died of syphilis under one. In 1875, 1826 per million born, died of that disease under one. Now the Contagious Diseases Act is upheld on the ground that it has very much diminished syphilis. Whence, then, comes this frightful increase? Is it impossible that that which has been communicated to robust adults in revaccination, may affect weakly infants at three months old?

\* See his evidence, page 283, Committee's Report.

If so impossible, why? And is the "millionth part of a chance" of Dr. Stevens, and "I have not seen it" from Dr. Ballard, to neutralize the evidence of the Registrar-General, which it may never have occurred to these gentlemen to examine? When thousands of helpless infants die of such diseases, no wonder there are fewer of them than formerly to be carried off by small-pox. Nevertheless, out of 80,000 small-pox deaths during twenty years of enforced vaccination, given in table 17 of the same return, it may be seen that 43,000 were under five years old. When, it may be asked, should these have been *re*-vaccinated?

A return made by the Medical Department itself, No. 50, session 1877, shows that out of sixteen infants vaccinated at Misterton, Lincolnshire, no less than six were dead within a month, from erysipelas.

From a further return (No. 76, session 1880, Hansard) may be deduced the lamentable fact that, in round numbers, 4500 infants, under five years old, died in 1877 from syphilis, scrofula, skin diseases, and erysipelas, more than the proportion of such deaths in 1847 (in which year the causes of death first began to be classified) would have given. As an obvious consequence, the return shows that, whereas formerly two-thirds of the small-pox deaths were children under five, since the most stringently enforced vaccination in 1867 only one-third were under five. Those slaughtered by vaccination could not *afterwards* die of small-pox. Had these survived vaccination, their normal number would have been added to the small-pox deaths, *i.e.* about 1400, to save which, 4500 were killed. Moreover, we see that, deducting the two-thirds and one-third respectively, the deaths from small-pox at all ages above five had increased in the proportion of 174 to 100, *i.e.* the annual average since enforced vaccination.

The most recent return, No. 392, session 2, 1880, more than fully corroborates these figures. The deaths among infants under one year, per million of births, from all causes save seven, had diminished 37,919 in the year 1878, compared with the rate in 1847, as the result of sanitation; on the other hand, from the remaining seven causes, directly or indirectly inoculable, the deaths had increased 26,313—the balance, as regards infant life under one, is about 11,000, apparently in favour of sanitation. No less than 37 per cent. of the small-pox deaths are still under ten years old, *i.e.* before arriving at the official revaccination age; and the outcome of the whole matter is—that under one year alone, the number annually sacrificed by the poisoned lancet is just 26,000, to save 50 from small-pox! We see that, in spite of this infant slaughter, the number of deaths from all causes, among infants, has diminished at the same time that the general death-rate, at all ages, has been about kept up to the accustomed average standard. The rate of mortality above five must surely, then, have increased. How? By sanitary works?

Another table to be found in the Annual Report (1877)\* of the Registrar-General (table 4, p. 259) gives the death-rate at all ages, per million of population, from every specified cause, for each quinquennial period from 1850 to 1877. If this table be analyzed it will be found that the average of the three years, 1875–6–7, as compared with 1850–1854, shows an increase of deaths from the following causes: syphilis, 51 per million, or 138 per cent. upon the 1850–1854 rate; skin disease, 13 per million, or 118 per cent.;

\* These Reports are necessarily two or three years behind the period to which they relate.

phlegmon (boil), 95 per cent. ; cancer, 60 per cent. ; tabes mesenterica, 26 per cent. There are other causes which have also greatly increased, such as bronchitis, 123 per cent. ; atrophy and debility, 61 per cent., etc. At the same time, almost all the zymotics or filth diseases, as they are sometimes called, as cholera, fever, measles, diarrhœa, etc., have decreased. But even these do not appear to have decreased as much as we have a right to expect, as the result of an expenditure of upwards of a hundred and fifty millions sterling on works of sanitary improvement during the past thirty years. The sum, for only the five years ending 1879, has been stated at seventy-seven millions.

To return to small-pox—this is one of the causes which in 1875–1877, as compared with 1850–1854, had diminished as much as 62 per cent. ; but during the quinquennium, 1870–1874, small-pox gave an increase of 64 per cent. *above* 1850–1854.

On the discussion of Dr. Worlomont's paper above alluded to, and in answer to the allegation of Dr. Cameron, M.P., that the quality of the human vaccine lymph must have deteriorated, because a greater portion of admittedly vaccinated small-pox patients die now than formerly, Dr. Ballard asserted that the epidemic of 1871 was one of peculiar "ferocity," and therefore ought to be excluded in our reasoning on the question. It originated, he said, in a badly vaccinated district of France, and there, it seems, attained an exceeding "ferocity," spread all over Europe, was brought to England, and so on. Whether or not Dr. Ballard infers that bad, by which it is presumed he meant absence or neglect of, vaccination, produced this peculiar "ferocity," it may be difficult to conjecture, or in what way it could so act. But is Dr. Ballard correct in supposing that the English epidemic



of 1871 was really imported from France, by refugees from the war, as it was then said? Mr. Marson, in his evidence before the committee, said, "The disease was raging to a great extent in the East of London, before the French war broke out." \* Southampton was accused, at the time, of being badly infected; but the small-pox mortality in that town was much less than in many other places. It will be seen by the table previously given, that the small-pox death-rate per million of population, during that epidemic, ranged from 10 in Bath, and 40 in Cheltenham (a place in which Dr. Ballard tells us vaccination has been much neglected, and where, therefore, extraordinary "ferocity" was to have been expected), to 2380 per million in London generally (against 4200 in Bethnal Green and Shoreditch districts), 3530 in Mold (which was brought by Dr. Seaton so strongly before the Parliamentary Committee as thoroughly vaccinated, † 6300 in Southampton, 8450 in Northampton, 8790 in Sunderland, and 9500 in Great Grimsby. And the outbreak first appeared virulently in Llanelly, in South Wales, and Brighton; next London, etc. Ireland followed England, chiefly in 1872. Ireland, which, according to Dr. Seaton before the committee, was "the best vaccinated country in Europe" ‡ (there being no small-pox there at the moment), yielded in Cork, during the second quarter of the following year, a death-rate of 23,200 per million from that disease. Compare the two—"much neglected" Cheltenham, 40; "best vaccinated" Cork, 23,200 per million!

Several local outbreaks have, moreover, occurred in Ireland since 1872, as exhibited by the quarterly reports of the Registrar-General for Ireland; e.g. in

\* See Evidence, qy. 4705, p. 269.

† See Report, p. 298.

‡ Ibid., p. 317.

the second quarter of 1873 there were 8300 small-pox deaths per million in Tralee (annual rate), and 14,000 in Lurgan; same quarter, 1874, 8000 per million in Londonderry; third quarter, 1874, gave 7000 in Belfast; the next quarter, 8100 in Balla, 8400 in Kiltamagh, and 17,000 in Foxford; while the second quarter of 1875 yielded in Athenry 20,800 per million small-pox deaths. (See these Reports, Nos. 38, 42, 43, 44, and 46.)

Again, if the epidemic of 1871 is to be excluded from our efficient lymph investigations, on account of its "ferocity," why are not ferocious epidemics of the past to be excluded also? Dr. Seaton, who is no bigot, in his "Handbook of Vaccination," gives the small-pox mortality 1838-1840 as that which we are to bear in mind as the standard rate prior to vaccination laws. Why is our average to be taken from the "ferocity" of 1838-1840 exclusive of 1796-1825 (when, according to a report of the College of Physicians, only one and a half per cent. of the population were vaccinated)? And when, as claimed by the Medical Department, 95½ per cent. of the children born have been vaccinated, why is the "ferocity" of 1871 to be excluded in calculating results?

Another pertinent inquiry is, why do not these small-pox epidemics greatly raise the general death-rate? In 1838-1840 the average rate, for the three years, was 22·5 per thousand, the average of the forty years, 1838-1877, being 22·2. In 1871-1872 the rate was 21·9 only, or under the general average.

Dr. Ballard told the meeting that 4½ per cent. only now remained unvaccinated. He was asked, "4½ per cent. of what?" and he said, "Of the births." Does any doctor mean to tell us that cent. per cent. of the children born survive!

The year 1881 was exceptionally healthy, the general death-rate in the first quarter of the year was 21·8 per thousand—"so low a proportion in the first three months of the year has never been reported since 1856;" and in the second quarter the rate was 18·6 per thousand only—"the lowest proportion which has ever been reported for the second quarter of any year in England and Wales since the establishment of civil registration in 1837" (Registrar-General's Quarterly Reports). Sixty per cent. of the small-pox deaths (1698) in London during the six months of 1881 which had the highest small-pox mortality, occurred in the second quarter, when they reached 1018; and of these no less than 63 per cent. were in three of the twenty-nine main districts into which the metropolis is divided, viz.: Hackney, Fulham, and Greenwich;\* three others gave 16 per cent.; nine more yielded 15 per cent.; leaving the other 6 per cent. to the remaining fourteen districts. In like manner, during the third quarter there were 461 small-pox deaths, 63 per cent. of which occurred in six only of the districts.

It was the same in 1884, when, of the total small-pox mortality during the nine months ending September, 44 per cent. occurred in one out of the twenty-nine districts, *i.e.* Hackney.

To revert for one moment to the nature of "evidence." We cannot *assume* that everybody *must* have small-pox, in the absence of some specific, or charm, to ward it off; because very many millions have lived in the world without having the small-pox, before either inoculation or vaccination was heard of. Neither can we *assume* that sanitation and civilization, which have exterminated plague, sweating sickness, jail

\* See this comparative mortality in the low-lying districts amply confirmed, p. vii., "Annual Summary," 1881.

fever, etc., etc., can have no influence in diminishing small-pox (remember Bethnal Green and Belgravia, Cheltenham and Cork). Therefore we cannot *prove* that any one who now escapes does so *because* vaccinated, any more that *because* of sanitation. But every vaccinated person who has died of small-pox, *does prove* that in such case (and they are legion) vaccination has failed either to prevent or mitigate small-pox.

The absence of pock-marked faces has hitherto been accepted, by persons who, ignoring sanitation, decline to examine figures, as evidence of the value of vaccination. This has now been given up by the Registrar-General, who, with an ingenuity of assumption which out-Herod's Herod, ascribes the increased small-pox death-rate among vaccinated adults, as compared with the unvaccinated, to the obvious cause (as he alleges) that the latter, having in youth neglected vaccination, "at the later periods of life an increasing proportion of them has become protected by attacks of small-pox" ("Annual Summary," London, 1881, p. vi.). The paucity of pock-marked faces now surely, therefore, arises (as well as fewer deaths in adult life) from the *absence* of vaccination!

From reports, 1877-1878, by the Sanitary Commissioners with the Government of Calcutta, we learn that in the provinces of India vaccination has had no effect upon the prevalence of small-pox: *i.e.* the vaccinations in 1877 exceeded those of 1878, whereas the small-pox mortality was greatest in the latter year. Fever carried off ten times as many victims. We may deduce from these facts that the filthy state of the people has more to do with the prevalence of small-pox, as of other zymotics, than the absence of vaccination.

That sanitary appliances do influence the death-rate, we know not only from the official returns, but from the experience of "The Metropolitan Association for Improving the Dwellings of the Industrious Classes." Their buildings are situate in "the fever nests" of London; the population living in them is four times more dense in proportion to the ground area they occupy than that of their surrounding neighbourhoods; there is no interference whatever with the habits of the inmates; yet in twenty-eight years there has been no epidemic within their walls. Cholera did not enter; typhus is shut out; small-pox, in 1871, did not spread from one or two sporadic cases present; and the average death-rate has been from five to ten per thousand every year below that of London at large. For the two years last past it is seven and eight.

The hackneyed statement that non-vaccinated small-pox patients die in greater proportion than the vaccinated—*i.e.* as cause and effect—may be better credited when scientists are able to say, "We saw a thousand healthy and robust children, born of parents free from taint, well nourished and brought up, with every attendant sanitary advantage, suffering from no overwork, no overcrowding, no dirt, but under the influence of healthful exercise, free ventilation, and cleanliness; nevertheless, they were not vaccinated, and in the course of so many years nine hundred of these were attacked by small-pox of whom half died. Again we saw another thousand children, born of unhealthy parents, left to the care of neighbours or juvenile hirelings, ill fed, unwashed, who were brought up in greatly overcrowded hovels, and never knew what pure air meant; but they had been vaccinated, with four good cicatrices on each arm:—the small-

pox raged around these children, of whom a hundred only were attacked, and two only died ! ”

Let them prove such to be facts, and we may listen to them. But when, in addition to the poison influences described as attaching to our second thousand, numberless infants, in town slum populations and elsewhere, are notoriously born in such a diseased and weakly state, with such a slender thread of life that no doctor, however enterprising, dare add a feather's weight to the load under which the wee ones struggle for breath ; and, though these stagger on a few months, or years, the first effort which nature is able to make, in the shape, probably, of small-pox eruption, takes them, happily, to their graves ; and when, again and again, we are told that such deaths are attributable to non-vaccination, who does not sicken at this scientific *suggestio falsi* ? \*

And when to this we add the patent fact that in “ medical ” statistics the numberless deaths directly resulting from vaccination among our ill-used and weak infantile examples (for we must remember, about half only of such survive their tenth year), but registered as erysipelas, diarrhoea, eczema, syphilis, etc. etc., are never even so much as hinted at, who is not filled with righteous indignation at the equally unwarrantable *suppressio veri* ?

\* Let it again be understood that this applies only to those in authority ; who know, or ought to know, the facts. It by no means touches the *medical profession*, who have no more opportunity of examining statistics than the public at large. Mr. Marson testified before the committee that, in confluent small-pox, vaccination marks are obliterated by the eruption ; so that none can tell whether such have been vaccinated or not. Yet it is constantly assumed that medical hospital returns and certificates in regard to vaccination are “ reliable ” (and this is repeated in the “ Annual Summary,” 1881) ; whereas, on Mr. Marson's showing, they are not worth the paper on which they are written.

This cumulative evidence goes on. *E.g.* during the first three quarters of 1884, the small-pox deaths in the Metropolis were 74 under the average of the last ten years; 44 per cent. of those which did occur having taken place in one out of the 29 districts, viz. Hackney. A re-vaccination scare, nevertheless, was got up all over London by the officials, the result being that in the fourth quarter the small-pox deaths exceeded the average by 340, and they were more generally diffused over the whole of London, though chiefly in the least sanitary districts (as ever), Hackney still yielding the largest crop.

On the other hand, Dr. Makuna, late of the Fulham small-pox hospital, sent out queries in 1883, which were answered by about 400 medicos (122 of them being public vaccinators), all, with few exceptions, in favour of vaccination. Yet, in reply to one of the questions, no less than 40 different kinds of disease (from syphilis to erysipelas) were admitted by these medicos to have been observed in their practice, as resulting from the operation.

## VACCINATION MORTALITY.\*

ADDRESSED TO THE PRESIDENT OF THE LOCAL GOVERNMENT  
BOARD.†

Kingscote, Wokingham, 27th November, 1879.

SIR,

Permit me to call your attention to the small-pox returns, recently circulated through the press, from the Metropolitan Asylums Board. Whilst by no means disproving the evidence given before the Commons Vaccination Committee, 1871, by Mr. Marson and others, to the effect that when small-pox is confluent no one can tell whether the patient had been vaccinated or not, and that in many persons the vaccination marks wear out, these returns surely do not bear out Dr. Jenner's contention that a vaccinated person was protected from an attack of small-pox through life; for 1008 admittedly vaccinated patients died in these hospitals alone, out of 2667 deaths, during the comparatively mild epidemic of 1876-1879.

\* This letter, moved for as a Return to the House of Commons by Mr. Hopwood, Q.C., was laid on the table by Mr. Dodson (No. 63, July 1, 1880). Presumably under the influence of the Medical Department, however, the then President intimated to the Speaker's secretary that it was not desirable it should be printed. It is for those to explain the reason who contrived the suppression of the important facts therein revealed.

† The Right Hon. G. Sclater Booth, M.P.



They also show that the proportion of deaths to attacks was 17·6 per cent., or within a fraction as great *now* as it was, as stated by Drs. Jurin and Sydenham, prior to the "great discovery" for which large pecuniary rewards have been paid to Jenner and his adherents.

Small-pox, which was to be extinguished by this practice, continues to be periodically epidemic as formerly—periodically only then as now. Thus the average mortality from this disease, 1875–1877, appears to have been 62 per cent. less than it had been in 1850–1854; but in 1870–1874, it had reached 64 per cent. *above* the 1850–1854 average, the lamentable increase of infant deaths from other causes alleged to have been aided or produced by vaccination notwithstanding (see Returns No. 50, and No. 433, session 1877). Yet, when small-pox happens to be the epidemic of the period, the general death-rate is usually under the average. [Compare 1846–1849 with 1850–1853, and with 1871–1874 (table 20, p. lxxv., Fortieth Annual Report of the Registrar-General). In the epidemic period, 1863–1865, the death-rate was above the average; but on examination it may be found, probably, that the increase took place during the first quarters of those years, and the small-pox in the second and third quarters.]

On this other side of the question, allow me to point out that many physiologists and medical men, amongst others, have attributed a very large proportion of our abnormal infant mortality to the effects of vaccination, although such deaths are registered under the various forms of disease, which some of the symptoms occurring appear to justify. It is not so much, they say, that vaccination *per se* actually communicates, or even initiates, the mischief (yet, in

numberless instances, it is affirmed that it has done so), as that the operation reduces the natural or constitutional vitality of the infant, and therefore any cause of trouble may less easily be borne, and death result, when, had not the struggling life been tampered with, the patient might have recovered. The chief causes of death alleged to be thus accelerated or encouraged by vaccination, besides the seven zymotics, are bronchitis, convulsions, teething, atrophy and debility, and lung diseases.

Notwithstanding this strain on young life, the influence of sanitary improvement has been so powerful in a contrary direction, that the death-rate from all the zymotic class except whooping-cough, which is about stationary, has somewhat diminished; and typhus, typhoid, and simple fever as much as one-half; whereas inoculable diseases (at all ages) have more than correspondingly increased—nay, the increase from them appears to have been more than double the saving from the others. Among infants the increase from such inoculable diseases seems even greater in proportion to births, as shown by Return No. 433, session 1877.\* And if so, it may well be that in this way the general average death-rate very nearly maintains its standard, in spite of sanitary works, which, it is said, have been prevented from manifesting their results by the counter-influence of vaccination.

The return by Dr. Farr, table 4, page 259, of the latest (40th) Annual Report (1877) of the Registrar-General, furnishes the rates of mortality from all specified causes separately during each quinquennial period from 1850 to 1877; from which it appears that the following causes have yielded increased or

\* See also subsequent Returns, No. 76, sess. 1; and 392, sess. 2, 1880.

diminished mortality in the under-mentioned proportions respectively.

AVERAGE ANNUAL MORTALITY PER MILLION LIVING, FROM  
SPECIFIED CAUSES AT ALL AGES, 1875-1877.

*Increase (20 per cent. and upwards above 1850-1854).*

	Per million living.	Per cent. increase.
* Bright's disease ... ..	143	446
* Nephritis ... ..	28	254
(a) Syphilis ... ..	51	138
Cyanosis ... ..	18	128
(b) Bronchitis ... ..	1350	123
(a) Skin disease ... ..	13	118
Gout ... ..	13	108
Heart disease ... ..	651	100
Aneurism ... ..	16	100
* Cystitis ... ..	13	100
(a) Phlegmon ... ..	19	95
Spina bifida ... ..	12	92
Purpura and scurvy ... ..	12	86
Want breast milk ... ..	28	85
† Insanity ... ..	18	62
Lung diseases ... ..	90	62
(b) Atrophy and debility ... ..	425	61
(a) Cancer ... ..	183	60
Rheumatism ... ..	54	53
† Brain disease ... ..	88	49
* Diabetes ... ..	16	48
† Cephalitis ... ..	84	42
Metria ... ..	21	39
Laryngitis ... ..	23	39
Liver disease ... ..	83	38
Joint disease ... ..	23	37
* Kidney disease ... ..	27	29
(a, b) Tabes Mesenterica ... ..	70	26
† Apoplexy ... ..	96	21
Total increase ... ..	3668	

\* It has been suggested that the increase of all varieties of renal disease may have been promoted by the too frequent substitution of glucose for malt, and other adulterations in the brewing of beer.

† The increased mortality from brain disease (paralysis increased 15 per cent. only) probably is due partly to the growing mental strain encouraged by the march of civilization, and *auri sacra fames*.

*Decrease (20 per cent. and upwards below 1850-1854).*

	Per million living.	Per cent. decrease.
(b, c) Cholera ... ..	285	91
(c) Remittent fever ... ..	32	91
(b) Influenza ... ..	75	87
Dysentery ... ..	93	79
Dropsy ... ..	398	72
(a, b, c) Quinsy ... ..	14	64
Small-pox ... ..	174*	62
Premature birth ... ..	563	54
(c) Typhus, typhoid, and continued fevers ...	528	53
Asthma ... ..	136	52
Sudden deaths ... ..	99	48
Ascites ... ..	18	46
Ague ... ..	4	44
Enteritis ... ..	86	41
Hydrocephalus ... ..	118	27
Old age † ... ..	387	26
Phthisis ... ..	655	23
Croup ... ..	50	22
(b) Measles ... ..	92	22
(b) Convulsions ... ..	307	22
(b) Thrush ... ..	14	21
Child-birth ... ..	26	21
Balance of 41 other causes under 20 per cent. difference, or of insignificant numbers	207	
Deaths not classified, 1850-1854 ... ..	214	
Total decrease ... ..	4575	
Deduct increase ... ..	3668	
Net result ... ..	907	
or '9 per thousand.		

\* The small-pox average 1870-1874 was 64 per cent. *increase* upon that of 1850-1854, having been occasionally epidemic. A change of nomenclature may have influenced the apparent difference between some diseases of a similar class, but the movement in many of the other causes has apparently been regular and constant.

† The deaths from old age had diminished over 20 per cent. Ought they not to have greatly *increased*?

Hence we find, at page lxxv. of the same volume, the average death-rate—

1850-54	...	...	...	...	...	22'3
1875-77	...	...	...	...	...	21'4
Add	...	...	...	...	...	'9
						<hr/> 22'3

the average of the forty years of registration being 22'2.

N.B.—Scarlet fever (*b* and *c*), diarrhœa (*b* and *c*), teething (*b*), scrofula (*a*) and erysipelas (*a*) had each diminished under 20 per cent.; whilst whooping cough (*b*) had almost exactly maintained its standard. These surely ought all to have very materially lessened, whereas it is believed that under one year both diarrhœa and whooping cough, if not scrofula and erysipelas, actually increased.

The diseases marked (*a*) are inoculable, and may therefore be transmitted by vaccination.

The diseases marked (*b*) are those from which infants are specially liable to suffer, and therefore likely to be more fatal when their inherent vitality has been lowered by vaccination. This added risk, however, applies more or less in truth to all diseases. Of course it may be said that, inasmuch as nothing can render man immortal, all diseases may follow vaccination; but the nearer any fatal specific cause supervenes largely upon or after the operation, the more clearly does it show that vaccination is an added risk, and therefore probably a cause of death.

The diseases marked (*c*) are such as would be mainly prevented or produced by attention to sanitation or its neglect, and therefore, in the absence of any other counteracting evil, ought naturally to have been much more influenced or lessened by 120 millions

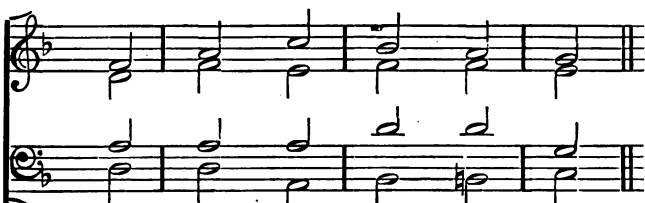
sterling expended, within the period under review, on works of sanitary improvement (now, probably, 200 millions.

It is submitted that these Returns seem amply to justify the inquiry, why it happens that the general death-rate from all causes at all ages in England has maintained a pretty uniform average during this era of sanitary progress.

I have, etc.,  
T. BAKER.

ILMINSTER.—C.M. *To Pope's "Universal Prayer."* T. B.

"What Con - science dic - tates to be done,



Or warns me not to do,



This, teach me more than hell to shun ;



That, more than heaven pur - sue."

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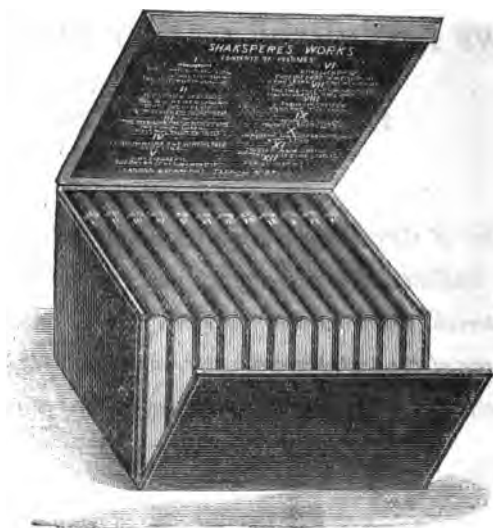
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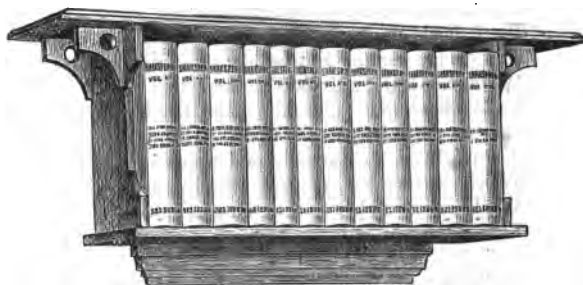
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# SHAKSPERE'S WORKS.

## SPECIMEN OF TYPE.

4

THE MERCHANT OF VENICE      ACT I

*Salar.*                      My wind, cooling my broth,  
Would blow me to an ague, when I thought  
What harm a wind too great might do at sea.  
I should not see the sandy hour-glass run  
But I should think of shallows and of flats,  
And see my wealthy Andrew, dock'd in sand,  
Vailing her high-top lower than her ribs  
To kiss her burial. Should I go to church  
And see the holy edifice of stone,  
And not bethink me straight of dangerous rocks,  
Which touching but my gentle vessel's side,  
Would scatter all her spices on the stream,  
Enrobe the roaring waters with my silks,  
And, in a word, but even now worth this,  
And now worth nothing? Shall I have the thought  
To think on this, and shall I lack the thought  
That such a thing bechanc'd would make me sad?  
But tell not me: I know Antonio  
Is sad to think upon his merchandise.

*Ant.* Believe me, no: I thank my fortune for it,  
My ventures are not in one bottom trusted,  
Nor to one place; nor is my whole estate  
Upon the fortune of this present year:  
Therefore my merchandise makes me not sad.

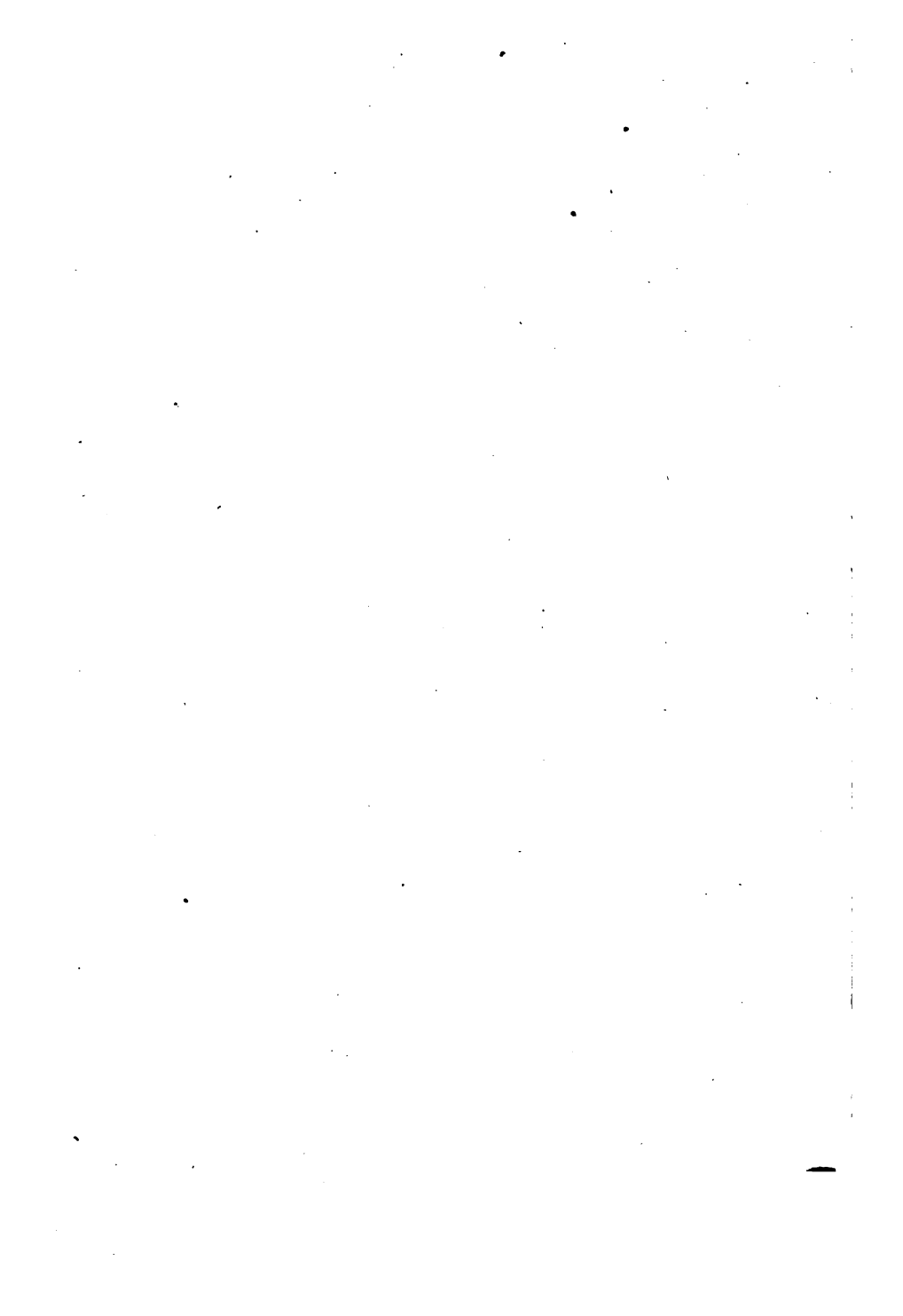
*Salar.* Why, then you are in love.

*Ant.*    Fie, fie!

*Salar.* Not in love neither? Then let us say you  
are sad,

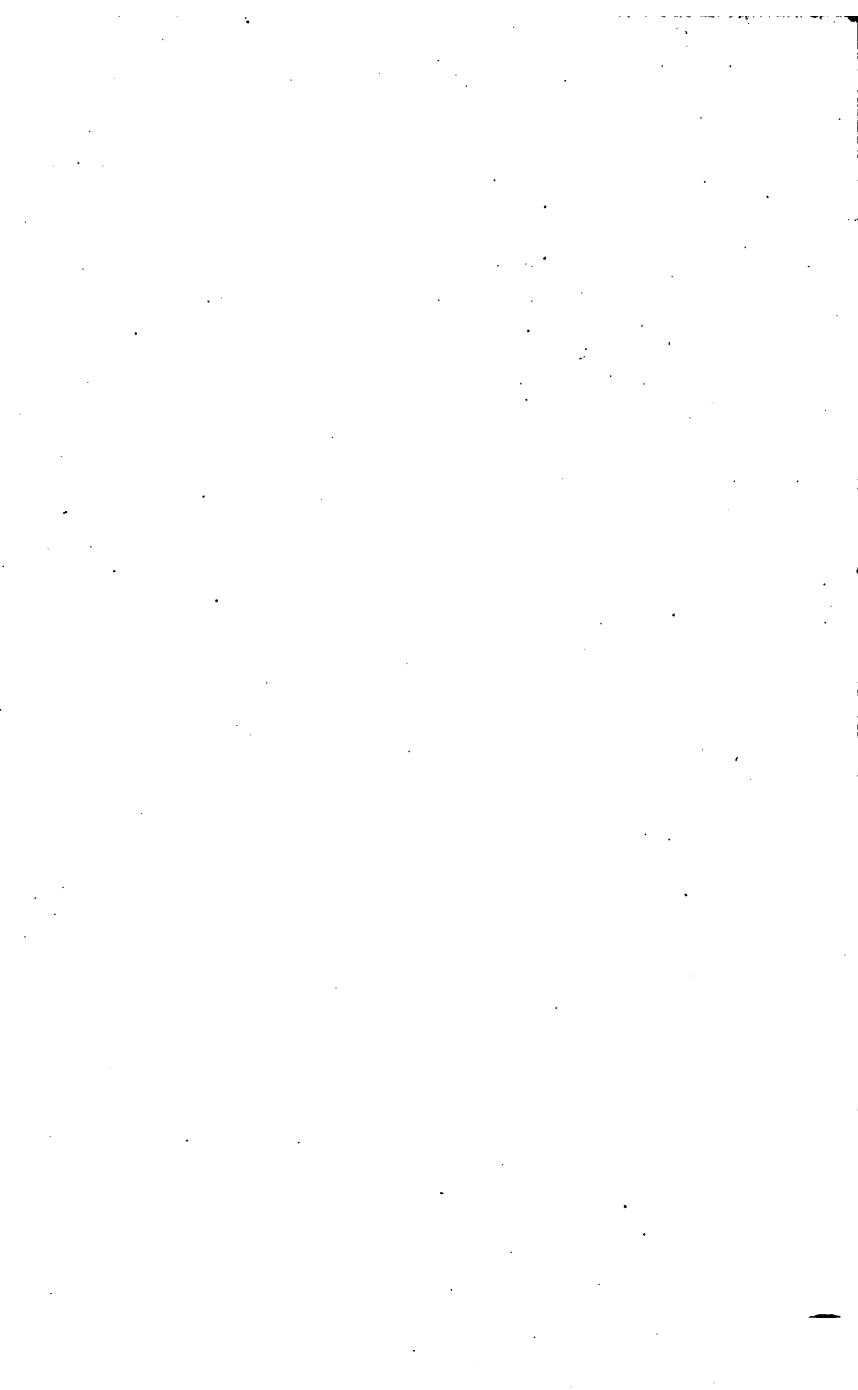
Because you are not merry; and 'twere as easy  
For you to laugh, and leap, and say you are merry,  
Because you are not sad. Now, by two-headed  
Janus,

Nature hath fram'd strange fellows in her time:  
Some that will evermore peep through their eyes  
And laugh like parrots at a bag-piper;  
And other of such vinegar aspect









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